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PROSPECTS FOR UNITED STATES-MEXICAN COOPERATION IN THE WAR ON DRUG TRAFFICKING

by

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PROSPECTS FOR UNITED STATES-MEXICAN COOPERATION IN THE WAR ON DRUG TRAFFICKING

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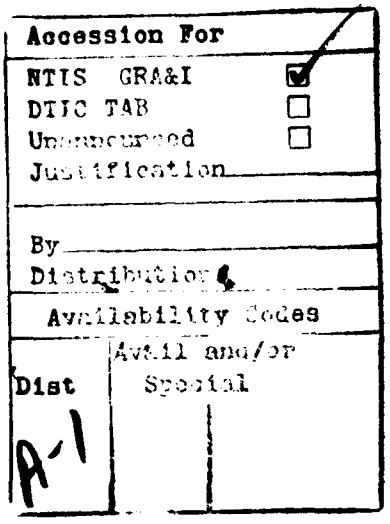
ABSTRACT

Drug control policy on the Southwest U.S. border requires an exceptional level of cooperation between Mexico and the United States. This thesis examines the formulation and evolution of drug control policies in both countries, and analyzes the mutual interests and the unique constraints facing them. The thesis recommends eight proposals for improving cooperation between Mexico and the United States in the war on drugs, which include: 1. Resisting intervention; 2. Providing economic assistance; 3. Utilizing the Justice department as the lead agency; 4. Imposing strict guidelines for operations in Mexico; 5. Forging consensus multilaterally instead of bilaterally; 6. Sharing intelligence; 7. Developing intermilitary ties; and 8. Improving the coordination of U.S. efforts.



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I. THE DRUG POLICY DEBATE

In choosing a strategy to combat illicit drugs, the United States government has adopted a plan which, at least in the near term is heavily dependent on interdiction and eradication. According to the 1990 National Drug Control Strategy, the administration of President George Bush recognizes that the war against drugs requires a comprehensive, multifront approach.[1] In effect, the most recent government plan is an admission of the limited effectiveness of unilateral interdiction and a call for a more through evaluation of all components of counter-narcotics policy. Using the framework outlined in the National Drug Control Strategy's chapters on "International Initiatives" and "Interdiction Efforts", this thesis seeks to evaluate the feasibility of bilateral and multilateral drug policies with regard to Mexico as an alternative to the unilateral actions which currently predominate.

As interdiction will remain a central component of drug policy for several years, the United States government must respond to the challenge posed by more complex interdiction

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[1]The White House, National Drug Control Strategy, January 1990, (Washington, D.C.: Government Printing Office, 1990), p. 2.

operations. Whereas previous interdiction efforts have been carried out unilaterally, often with little regard for the sensitivities of other governments, future interdiction will be focused on the Southwest U.S. border where Mexican sovereignty is a fundamental issue.

The cumulative effect of recent interdiction operations on the Eastern and Southeastern channels of drug traffic into the United States has produced a concentration of trafficking aimed at penetrating the Southwest. The apparent success of maritime and air interdiction tactics elsewhere has forced the front of the drug war to shift to regions, (land, sea and air), contiguous with Mexico. This development is most daunting because it precludes the continued application of tactics used successfully elsewhere, given that unilateral efforts are unlikely to produce the same results without undesirable damage to United States-Mexican bilateral relations.

This thesis recognizes the unique challenge posed by a shift in the majority of drug trafficking to the Southwest border and seeks to identify feasible policies to stem the flow of drugs in this region. The argument herein supports the assessment that interdiction, properly handled in the context of bilateral United States-Mexican relations, is a viable and essential aspect of drug control policy. In contrast to the majority of literature on drug policy, the objective is not the dismissal of interdiction as futile

and unworkable. Instead, this thesis seeks the identification of plausible policy plans which take into account the domestic policy constraints in the United States and Mexico, and the delineation of inappropriate policy options based on the same criteria.

This assessment of a workable joint strategy employs a comparative approach which highlights the distinct characteristics of the two policy-making structures and identifies mutual interests. To strengthen the argument for the adoption of prescribed bilateral measures, an evaluation of unilateral and multilateral initiatives is included. The objective is to demonstrate that if United States drug policy is to succeed on the Southwest border, it must recognize and adapt to the unique constraints imposed by the Mexican state.

Previous literature on United States drug control policy has examined a wide range of social, political and economic effects with very little emphasis on compiling effective policy guidelines to combat the problems. Works that preceded the adoption of the current National Drug Control Strategy were most often superficial treatments of the simplistic "supply" versus "demand" debate or thinly veiled attacks on interdiction as an impotent policy. Until recently, scholarly debate has rarely recognized interdiction as policy with limited objectives, choosing instead to attack a "straw man" argument that interdiction

is a panacea. It must be acknowledged that interdiction will remain a crucial component of anti-drug strategy in the near term, and the effects of that policy must be addressed in the larger context of national interest. This includes a more fruitful debate about how to adapt strategy to work in the framework of bilateral and multilateral cooperation.

A. GENERAL OVERVIEW

Several books have been written with the expressed purpose of determining the guidelines for public policy debate. William O. Walker's Drug Control In The Americas[2], Donald Hamowy's collection Dealing With Drugs[3], and Scott B. MacDonald's Dancing On A Volcano[4], are essential reading before undertaking serious discussion of drug control policy. Each of these works offers a different perspective on the pertinent issues needed to be addressed by a comprehensive strategy. Segments of each book devote attention to the critical role

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[2]William O. Walker, III, Drug Control in the Americas, (Albuquerque, N.M.: University of New Mexico Press, 1981 - Revised edition 1988).

[3]Donald Hamowy, ed., Dealing With Drugs, Pacific Research Institute for Public Policy, (Lexington, Massachusetts: Lexington Books, 1987).

[4]Scott B. MacDonald, Dancing on a Volcano, (New York: Praeger, 1988).

of Mexico, and United States-Mexican relations, in achieving desired policy objectives.

To counter those who would describe current anti-drug measures as a new phenomenon, one need only consult William Walker's Drug Control In The Americas for an historical record of a century of United States drug control efforts in Latin America. Initially undertaken to outline only the precursory development of drug policy until 1940, Walker's revised edition of the book includes an epilogue to detail policy initiatives from 1970 to 1988. As an accounting of previous policy attempts and failures, Walker's book is unequaled.

Given that emphasis herein is on present activities and future plans in drug control policy, the epilogue chapter of Drug Control In The Americas is most valuable. Walker stresses that United States leadership on the issue is essential, since consensus must be forged by Washington to overcome the apathy of Latin American states who do not have the intense historical and cultural aversion to drug use. With regard to Mexico, Walker poignantly draws attention to the fact that Mexican officials perceive their own anti-drug fervor as greater than that of the United States.[5]

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[5]Walker, Drug Control In The Americas, revised edition, p. 195.

Walker's conclusion is concise and enlightened. Having examined nearly a century of United States anti-narcotics tactics in Latin America, his final paragraph contains the following advice:

> At no time has interdiction resulted in the seizure of more than 10 to 15 percent of illicit traffic. For drug control to become more of a reality in the Americas, the threat of drugs must be met with a greater sense than ever before of the mutual task that lies ahead. Curtailing production or demand alone is not a sufficient approach to controlling drugs. Real flexibility in hemispheric anti-narcotic policy lies in recognition of those simple facts.[6]

Dancing On A Volcano, like Walker's Drug Control In The Americas, is by design more descriptive than prescriptive. Short of issuing specific proposals, MacDonald asserts that neither interdiction alone nor legalization on the opposite extreme offers a satisfactory solution. He proposes a balance of supply restriction and demand reduction, suggesting positive incentives to help underdeveloped economies to replace drug production rather than coercive measures. MacDonald's sketchy proposals, including the creation of a coordinating drug "czar", are very similar to the adopted drug control strategy of the Bush administration.

MacDonald's book is an invaluable point of departure for any comprehensive assessment of drug policy. While his

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[6]Walker, Drug Control In The Americas, revised edition, p. 223.

treatment of certain aspects of the drug trade are brief, he avoids oversimplification for the most part. Of special importance to future policy considerations is the care taken to demonstrate that smuggling and illicit trade are not recent phenomena in the exporting Latin American countries.

As for the ramifications of United States drug policy on bilateral relations with Mexico, MacDonald's analysis demonstrates the constraints of his broad perspective. He adeptly highlights the conflictual character of policy differences, stating:

> Mexico has long favored demand-side solutions, while pursuing supply side interdiction, sometimes under duress. Mexicans often feel that the United States seeks to blame Mexico for the inflow of narcotics.[7]

He critically notes that "narcotics come to the fore usually only after a major incident ...", which causes most disputes to be settled in a "state of great sensitivity."[8] Such a perspective strengthens his proposal that bilateral and multilateral cooperation is essential for success, a view shared by others but rarely so concisely explained.

It is far too easy to cite omissions from MacDonald's treatment of Mexico's drug trade, but such criticism would ignore the author's intentionally limited scope and

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[7]MacDonald, Dancing On A Volcano, p. 84.

[8]MacDonald, Dancing On A Volcano, p. 85.

disregard his contribution to viewing the drug control problem as a hemispheric challenge. However, his assertion that the Mexican ruling party does not prosecute widespread corruption for fear of embarrassment is offered without any further elaboration and reflects a misunderstanding of domestic political difficulties.

Whereas both Walker and MacDonald frame the drug control policy debate in terms of a mutual United States-Latin America problem, several articles in Dealing With Drugs, edited by Donald Hamowy, assail the effects of unilateral United States policy. Despite the underlying message that decriminalization if not legalization is the only proper governmental action, Dealing With Drugs contains three scholarly essays of benefit to policy makers of any predilection.

A chapter entitled "Curing the Drug-Law Addiction" by law professor Richard Barnett notes the undesirable effects of prohibition to confront growing demand. Beyond the familiar description of the economic principle of high demand and low supply causing prices to rise and making drug trafficking more lucrative, Barnett also points out the rarely considered likelihood of domestically developed "designer" drugs emerging to fill the demand. His examination of how increased interdiction efforts raise the profitability of corruption to an almost irresistible level is also a noteworthy admonishment.

In another valuable chapter in Dealing With Drugs, respected legal expert and critic of drug policy, Arnold Trebach emphasizes that current drug law is not responsive to changing realities. In his chapter "The Need for Reform of International Narcotics Laws," Trebach notes that the only notable success in drug prohibition in recent decades occurred in Singapore, which employed extreme measures, such as the death penalty for possession of heroin, deemed implausible for universal application by Trebach and this author.

Finally, Jonathan Marshall's section "Drugs and United States Foreign Policy" calls attention to the destabilizing effects of U.S. eradication and interdiction efforts in foreign nations. While his assessment that drug policy is nothing more than "a new subtle form of U.S. intervention abroad"[9] to replace anti-communism is an oversimplification, he formulates an interesting corollary to this hypothesis. Citing Argentine pleas for aid to fight guerrillas supposedly involved in drug trafficking to

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[9]Jonathan Marshall, "Drugs and United States Foreign Policy," in Donald Hamowy, ed., Dealing With Drugs, (Lexington, MA.: Lexington Books, 1987), p. 138.

circumvent human rights oversight in the United States Congress, he asserts:

> That neat formula would become a standard operating procedure of foreign leaders: Implicate the enemy in drug crimes, then collect U.S. police aid without any unpleasant questions from Washington.[10]

Marshall's argument has specific implications for United States-Mexican policy - he links drug control efforts in the state of Guerrero not to legitimate eradication plans but to a systematic persecution of anti-government protestors.[11] Overall, Marshall asserts that the ill effects of drug enforcement - militarization of society and the repression of liberal institutions - outweigh the benefits.

B. UNITED STATES-MEXICAN RELATIONS AND DRUG CONTROL

In the last five years a growing awareness of the significance of drug control along the Mexican border as a central component of drug policy has spurred a large volume of literature. Some approach drug control in the context of larger United States-Mexican diplomatic relations, while others tend to focus on the negative effects of unilateral policy by the United States on a Mexican government without

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[10]Marshall in Hamowy, Dealing With Drugs, p. 150.

[11]Ibid., p. 153.

recourse. Almost without exception, treatments of the critical agenda of United States-Mexican bilateral relations in the 1990's give great weight to finding a mutually acceptable drug policy. Those focused on United States drug policy alone share a similar concern about the criticality of obtaining Mexican compliance, if not cooperation, on drug control issues.

In the process of highlighting critical aspects of a multitude of bilateral issues, Mexico and the United States: Managing the Relationship contains a number of essays dealing with the intricacies of drug policy and their impact on domestic and bilateral politics.[12] A compilation of articles aspiring to give a balanced appraisal of issues vital to the bilateral relationship in the 1990's, this volume edited by Riordan Roett incorporates views from both Mexican and United States authors. The introductory remarks by Roett stress the economic, social and cultural "interpenetration" of the two nations, but also contends that there are global implications for the bilateral relationship. One such issue with broader application is that of drug control.

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[12]Riordan Roett, ed., Mexico and the United States: Managing the Relationship, (Boulder, Colorado: Westview Press, 1981).

In Roett's assessment,

> It may well be that the drug threat will emerge as the next critical policy issue between the two countries. But the drug issue is not just bilateral. It is clearly hemispheric. It invokes matters of security and foreign policy. And it is the one divisive policy area in which it is probably fair to say that as much culpability rests with the United States as elsewhere.[13]

Culpability may be the most volatile aspect of what Roett calls "the most contentious bilateral issue."[14] According to the editor, the friction stems from United States cynicism and moral superiority toward Mexico. He faults United States leadership for failing to recognize the linked issues of Mexican economic woes and United States domestic demand for drugs in the development of a coherent strategy. He argues that a "mutual" program for drug control should be an immediate objective for both administrations, especially in light of the 1986 Omnibus Drug Law which ties trade and cooperation to drug control efforts through a certification process Roett calls a "time bomb."[15]

A second, less heard from yet invaluable perspective is conveyed in an essay by Samuel I. del Villar, a former

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[13]Roett, p.3.

[14]Roett, p. 13.

[15]For more information on the 1986 Omnibus Drug Bill see P.L. 99-570 and "The Controversy Over Omnibus Drug Legislation," Congressional Digest, November, 1986.

adviser to the Miguel De La Madrid (1982-1988) administration and a member of the Bilateral Commission on the Future of United States-Mexican relations. Villar sketches an image of Mexican cooperation on drug control in sharp contrast to the depictions of irate U.S. policy makers. Using U.S. government statistics, Villar argues forcefully that the United States drug policy is a failure, even in those areas in which it is proclaimed to be making progress. Moreover, he asserts that Mexico has been more successful at limiting drug supply than the United States has been at limiting domestic demand.[16]

In building an insightful and logical argument against the proposed goals of U.S. drug policy, Villar refutes accepted logic on the efficacy of supply-side control. He cites federalism and constitutional liberties in the United States as insurmountable obstacles to the implementation of a coherent coercive policy. He argues:

> The police and the military are not viable instruments for changing massive cultural patterns in a free society, as was proven by the American experience with Prohibition in the 1920's.[17]

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[16]Samuel I. del Villar, "The Illicit United States-Mexico Drug Market: Failure of a Policy and an Alternative," in Roett, ed., Mexico and the United States: Managing the Relationship, (Boulder, Colorado: Westview, 1988), p. 193.

[17]Ibid., p. 194

Villar's chapter lends credence to the argument that massive interdiction and eradication efforts are counterproductive, accounting for the spread of corruption of enforcement officials and undermining fragile institutions. However, Villar falls prey to the syndrome of attacking interdiction and eradication as a unidimensional policy. He argues more persuasively when he refutes the assessment that Mexico benefits from the infusion of "narcodollars", countering that the drug trade enriches few and leads to a greater concentration of wealth. Assessments made by the Congressional Office of Technology Assessment reached a similar conclusion in 1987.[18]

Most poignantly, Villar accuses U.S. eradication efforts of making "scapegoats" of defenseless Mexican peasants by means of coercive policy. Villar, and Gregory Treverton - a senior fellow at the Council on Foreign Relations, conclude that efforts should focus on drug traffickers and associated organized crime figures and avoid the fruitless harassment of peasants resulting from eradication programs.[19] This suggestion is slowly being incorporated in policy plans.

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[18]Office of Technology Assessment, United States Congress, The Border War on Drugs, (Washington, D.C.: OTA, March 18, 1987).

[19]Villar in Roett, p. 196.

As a prescription for future policy, Villar calls for the adoption of "symmetry" in drug policy, urging the United States to enact like programs in quantity and kind that it demands of the Mexican government. Voicing concerns that the costs of U.S. anti-drug policy are becoming unbearable for Mexico, Villar stresses that the primary common interest that Mexico and the United States share is "checking, curtailing, and eventually destroying the power that narco-dollar financed organized crime has acquired for subverting the rule of law in both countries."[20]

The friction arising from contradictory appraisals of resolve on both sides of the border is not the unique perception of Villar. In an article in Foreign Policy entitled "Misunderstanding Mexico," Cuauhtemoc Cardenas, the leading opposition candidate in Mexico's most recent presidential elections, accuses the administration of President Carlos Salinas de Gortari (elected in 1988) of subordinating "national interests, self respect, and sovereignty" to United States policy objectives.[21]

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[20]Ibid., p. 202.

[21]Cuauhtemoc Cardenas, "Misunderstanding Mexico," Foreign Policy, 78 (Spring 1990), p. 116.

According to Cardenas,

> ...American hopes for Mexican cooperation now go well beyond the limits normally accepted by sovereign states. In this fight against drugs there is now in Washington a troubling tendency to judge Mexico's performance not so much by the results achieved but on the basis of Mexico's willingness to follow U.S. criteria and guidelines and to allow American drug enforcement authorities to operate inside Mexico exempt from reasonable jurisdictional limits.[22]

Cardenas's article is helpful for gaining an awareness of the domestic constraints on compliance with U.S. initiated drug policy.

The core conflict on drug policy in bilateral relations is also briefly illuminated in the broader context of United States - Latin American relations by Abraham Lowenthal in Partners in Conflict: The United States and Latin America. Primarily a work about the overall policy agenda, Lowenthal develops four categories of U.S. policy options toward Latin America: (1) Intermittent intervention; (2) sustained disengagement; (3) activism, and (4) developmentalism.[23] While Lowenthal assesses that Mexico exerts special leverage and requires sustained

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[22]Ibid., p. 117.

[23]Abraham Lowenthal, Partners in Conflict: The United States and Latin America, (Baltimore, Maryland: Johns Hopkins University Press, 1987).

diplomatic, economic, and development oriented attention from the United States, U.S. drug policy most appropriately fits under the category of intermittent intervention.

Lowenthal contends that "proximity, interpenetration and asymmetry fundamentally structure U.S. relations with Mexico."[24] He addresses the drug control issue only in the context of a broad agenda of mutual interests. Professing the complexity of the relationship, Lowenthal views the best option for relieving bilateral pressures is the application of general regional policies to Mexican relations. In part, this approach is an attempt to diffuse pressures of potentially "destructive confrontation" tied to nationalism on both sides. However, such a proposal ignores the special significance Mexico holds in future drug control strategy. Broad policies can not adequately manage distinct bilateral needs and constraints. While Lowenthal's proposal averts ruptures in bilateral relations, it is unrealistic for the complex cooperation needed for effective drug policy.

Additionally, Lowenthal advocates developmentalism as a coherent regional policy to replace sporadic and disruptive crisis management. He convincingly argues that

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[24]Ibid., p. 77.

building infrastructure and garnering support for institutions has greater long term benefits for security and stability.

A view shared by almost all the previously mentioned authors is most articulately stated by Kevin McCarthy of the Rand Corporation.[25] McCarthy stresses that any bilateral issue, and especially drug control, has important local components in both nations. The efforts to limit interpenetration of the two distinct cultures are extremely complicated when approached at a local level. Legal objectives at the federal level are responsible for the establishment of broad guidelines which can not always be realistically applied to local interdiction in the border regions. Of specific relevance to illicit drug traffic interdiction is the potentially damaging impact on legal interpenetration. McCarthy notes

> Moreover, the transportation routes set up to foster these legitimate economic exchanges facilitate a much wider range of transactions, including U.S. contraband into Mexico and Mexican contraband and migrants into the United States. Finally, efforts of both governments to restrict these respective flows have not been notably successful. Even when they are, they often trigger a response by the other government.[26]

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[25]Kevin McCarthy, Interdependence in the United States-Mexican Borderlands, (P-6889), (Santa Monica, California: Rand Corporation Study, June 1983).

[26]Ibid., p. 3.

McCarthy's assessment in "Interdependence in the United States-Mexican Borderlands" raises fundamental questions about the plausibility of border interdiction, and raises the issue of mutually agreeable solutions. Most certainly one may conclude that unilateral action, without corresponding support on the opposite side of the border, has little chance of success.

C. A SHIFT IN STRATEGY

The learning process to arrive at a successful drug control strategy is a long and arduous one. The driving force behind the current shift in strategy from unilateral to a more multilateral approach emerged from several critical studies.

The Border War on Drugs published by the Office of Technology Assessment (OTA) in March 1987 revealed some startling deficiencies concerning United States interdiction efforts from 1981-1986.[27] Most important, OTA's evaluation expressed pessimism about the efficacy of interdiction while highlighting major deficiencies in intelligence, data compilation, and coherent organization

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[27]Office of Technology Assessment, United States Congress, The Border War on Drugs, (Washington, D.C.: OTA, March 18, 1987).

of drug fighting assets. The Border War on Drugs asserted that

> There is no clear correlation between the level of expenditures or effort devoted to interdiction and the long term availability of illegally imported drugs in the domestic market.[28]

Similarly, a Rand study undertaken to evaluate the probable effects of increased military participation in interdiction on the Mexican border concluded "that a major increase in military support is unlikely to significantly reduce drug consumption in the United States."[29]

Both the OTA document and the "Sealing the Borders" study compiled for Rand by Peter Reuter predict outcomes for future interdiction on the basis of the results of poorly coordinated federal efforts of the past. The underlying assumptions may be valid, but it is also arguable that efficient interdiction has never been implemented. Therefore, the conclusions reached about interdiction must be qualified, pointing out that they are derived from data which project continued inefficiency.

The study conducted by the Office of Technology Assessment errs in projecting deficiencies of the present

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[28]Ibid., p. 3.

[29]Peter Reuter, Gordon Crawford, Jonathan Cave, Sealing the Borders: The Effects of Increased Military Participation in Drug Interdiction, (Santa Monica, California: The Rand Corporation, 1988), R-3594-USDP.

through the future to arrive at pessimistic conclusions. The assessment of the efficacy of interdiction can hardly be appropriate if shortcomings in intelligence and coordination of assets are corrected. Wisely, Congress and the President have decided to withhold judgment until better information becomes available.

Sealing the Borders begins with some valid, justifiable assumptions, but also includes more disputable building blocks. Some of the more valid assumptions include the use of price of drugs to indicate the effectiveness of interdiction. However, as the authors themselves admit, the Simulation of Adaptive Response (SOAR) model used to test the reactive capabilities of smugglers "may overstate how quickly (they) make adjustment."[30] The SOAR model used by Reuter and his staff for drug trafficker behavior attributes to these actors an unrealistic flexibility and responsiveness to interdiction efforts, while concurrently undervaluing the learning capabilities of interdicting forces. Moreover, Reuter gives little credence to the concept that disruption of drug trafficking networks over a short period provides long term gains. In reality, a

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[30]Ibid., p. 108.

policy that interrupts the flow of drugs through established channels creates confusion, causing traffickers to assume greater risks to achieve previous objectives. United States military operations in conjunction with law enforcement agencies in the Caribbean have demonstrated this effect.

Other scholars have found more troublesome problems with interdiction. The underlying problem with the previously surveyed studies is the focus on interdiction as a panacea rather than an intermediate goal. Until the announcement of the first National Drug Control Strategy in 1989, which emphasized a more balanced approach between restricting external supply and reducing domestic demand, interdiction was viewed as comprising a disproportionate share of overall tactical concerns. While many still view interdiction as costly and ineffective, critics of interdiction must understand its role as an intermediate objective.

Perhaps the most ardent and articulate foe of interdiction and its complement eradication, is Harvard University's Ethan Nadelmann. In journal articles and speeches, Nadelmann assails the externally oriented drug

strategy of the United States as a "bad export."[31] Nadelmann supports his pessimistic outlook on interdiction and eradication efforts with the observation that there is no "deeply rooted moral consensus that the activity [drug production] is wrong."[32] He finds policy implausible because creating an external consensus against the manufacture and sale of illicit drugs may be impossible, remarking

> crimes that require limited resources and no particular expertise to commit, that are easily concealable, and that create no victims with an interest in notifying authorities are most likely to resist enforcement efforts.[33]

Nadelmann must reluctantly agree, however, that victims of drug related violence contradict his premise. Moreover, the United States has begun to forge an international consensus against drug production and use.

Finally, a recently published book edited by Donald Mabry incorporates writings of the leading United States scholars on drug control policy. Chapters by Richard B.

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[31]Ethan Nadelmann, "U.S. Drug Policy: A Bad Export," Foreign Policy, 70, (Spring 1988), pp. 83-108. Similar statements can be found in "Drugs and Small Arms: Can Law Stop the Traffic?" American Society of Law, (April 1987), pp. 48-53.

[32]Nadelman, "U.S. Drug Policy: A Bad Export," p. 89.

[33]Ibid., p. 102.

Craig and Bruce Michael Bagley in The Latin American Narcotics Trade and U.S. National Security serve as points of departure for this thesis.[34] Both Craig and Bagley demonstrate a thorough knowledge of the complexities of drug control policy, particularly with regard to Mexico.

In his chapter "Mexican Narcotics Traffic: Binational Security Implications", Richard Craig adeptly identifies the mutually harmful effects of increasing narcotics related problems in Mexico. Identifying the threats as "Narcoterror" and "Narcocorruption", he asserts that Mexico is facing a well armed, well financed attack on its stability. Craig identifies the shortcomings of past Mexican governments in dealing with critical national problems, such as rural neglect and a failure to shore up its political legitimacy. He concisely outlines areas of mutual policy to combat narcotics trafficking.

Craig is also critical of Washington, accusing the United States government of consistently steering a course toward an external solution to the drug problem, largely in

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[34]Donald Mabry, ed., The Latin American Narcotics Trade and U.S. National Security, (Westport, Connecticut: Greenwood Press, 1990).

Mexico. He is especially critical of the U.S. propensity for unilateral action, recommending that

> ... the U.S. should abandon its unilateral policy tendencies, including the sporadic Operation Intercept syndrome. Numerous mechanisms exist for consultation on such matters. And Mexico should be consulted. If it refuses, for whatever reason to cooperate, that is Mexico's prerogative. At least it will have been consulted.[35]

Bruce Michael Bagley traces the recent history of drug trafficking and its related effects on United States-Latin American relations, and is as critical as Craig. Describing United States-Mexican drug diplomacy as "cyclical, unilateral and incident prone[36]," Bagley outlines four policy options for the United States in his chapter "The New Hundred Years War?: U.S. National Security and the War on Drugs in Latin America."

Briefly summarized, Bagley says U.S. choices involve:

1. Financing the mobilization of Latin America's drug fighting capabilities.
2. "Americanization" of the drug effort by having the U.S. government assume drug enforcement functions.

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[35]Richard B. Craig, "Mexican Narcotics Traffic: Binational Security Implications," in Donald Mabry, ed., The Latin American Narcotics Trade and U.S. National Security, (Westport, Connecticut: Greenwood Press, 1990), p. 41.

[36]Bruce Michael Bagley, "The New Hundred Years War?: U.S. National Security and the War on Drugs in Latin America," in Mabry The Latin American Narcotic Trade and U.S. National Security, p.49.

3. Providing support for viable economic alternatives in countries that do not or can not perform. to the drug trade.

4. Abandon the war on drugs by legalization or decriminalization.[37]

In the near term, Bagley recommends that the United States should seek to "employ less rhetoric and more diplomacy, which might permit greater U.S. cooperation with the very Latin American countries from whom active support is most needed."[38] The need for a cooperative framework for the mutual threat posed by drug trafficking is central to Bagley's prescription.

Within Bagley's description of U.S. relations with Latin American states on issues of drug control is a metaphor of "peaks and valleys" to describe United States-Colombian relations. That phrase accurately depicts United States-Mexican relations as well. Taking this theme, as well as other ideas from Bagley and Richard Craig, this thesis seeks to identify specific bilateral, cooperative ventures to further the interests of Mexico and the United States in their battle against the destabilizing effects of illicit drug trafficking. By acknowledging constraints as

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[37]Ibid., p. 52-53.

[38]Ibid., P. 55.

well as objectives in policy, the author aspires to provide a series of concrete proposals to smooth out the "peaks and valleys" in United States-Mexican relations on drug control issues.

II. U.S. PERCEPTIONS AND POLICY

An effective, coherent and integrated drug control strategy has eluded United States policy makers for decades. The ineffectiveness and disarray in domestic pursuit of illicit drug traffickers and abusers, coupled with escalating domestic consumer demand, makes legislation oriented toward external supply appear misguided. Moreover, the application of stricter standards of control abroad than at home undermines efforts at cooperation and substantiates the perspective that a double standard exists. The inability of the United States policy making structure to devise and implement a comprehensive plan of action, and to rationally balance local, state, federal domestic and foreign policy goals, has created a vocal minority in favor of abandoning the burden of drug control by legalization. Voices for legalization represent, in the most pessimistic manifestation, frustration with the national policy making structure.

Through an historical examination of evolutionary trends and an exploration of the predispositions of key institutions and agencies involved in interdiction and restriction of drug production at the source, this chapter seeks to illuminate the basic tenets of United States drug control policy. By identifying the underlying assumptions

associated with current supply reduction efforts, with particular regard to Mexico, it attempts to differentiate rational interests from ill conceived aims which undermine long term cooperation and effectiveness. The overriding assertion herein is that, until recently, policy aims have been inconsistent and dysfunctional - that is to say, doomed to failure by the incompatibility of the tools employed and the tasks they are expected to perform. It has been only through the rationalization of domestic drug control policy and structure that the United States policy makers have gained a clearer understanding of how externally oriented policy should be organized and implemented.

In the late 1980's, the United States began to take the first significant steps toward greater centralization of drug control efforts, devoted greater resources to the identification and assessment of drug related threats to national security, and created a more cohesive structure to combat the broad array of destabilizing elements arising from an illicit drug trafficking. Enacting comprehensive and integrated drug control strategy requires foremost the assessment of the validity of underlying assumptions held by the departments and agencies involved in constructing and enforcing drug control policy, and the removal of dysfunctional concepts and other road blocks to success.

United States drug policy implementation is most complex along the Southwest Border and within Mexico; therefore an examination of problems in this region offers the greatest opportunity to identify ill conceived policy. A wide variety of interdependent interests complicate policy here as nowhere else, because no other drug trafficking incursion area forces the United States to constrain its otherwise unilateral policy the way the Mexican land border does. Faced with the complexity of dealing with, cooperating with, or coercing assistance from the Mexican government, the strengths and weaknesses of United States policy most blatantly surface in this bilateral relationship.

There have been other efforts to assess the strengths and weaknesses of United States drug control policy,1 but none has endeavored to attribute the ill adapted paradigms to the specific tools used for policy implementation. To root out those aspects of policy which are ill suited for

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1Most notable among these assessments are: Bruce Michael Bagley, "U.S. Foreign Policy and The War on Drugs: Analysis of Policy Failure," Journal of InterAmerican Studies and World Affairs, vol. 30, no.2 & 3, (Summer/Fall 1988), pp. 190-212; Ethan A. Nadelmann, "U.S. Drug Policy: A Bad Export," Foreign Policy, 70, (Spring 1990), pp. 83-109; and Raphael F. Perl, "The U.S. Congress International Drug Policy and the Anti-Drug Abuse Act of 1988, Journal of InterAmerican Studies and World Affairs, vol. 30, no. 2 & 3, (Summer/Fall 1988), pp. 19-43.

drug control on the Southwest border, the origin of policy must be traced first through the organs which identify interests and the tools to pursue them, and second, through the departments and agencies which bring their own prejudices to the task assigned.

United States drug strategy emanates primarily from the two policy-initiating bodies of the federal government, the Executive and the Legislative branches, with occasional modifications introduced by federal judicial rulings and state and local practices. Many of the fissures and discontinuities in drug control policy have their origin in the system of checks and balances that the two major bodies of the federal government impose on each other. This system of interaction, which produces the diffusion of policy as it works its way through governmental bureaucracy, has been accurately described by Michael J. Kryzanek. Kryzanek does not assert that U.S. policy is aimless, but suggests that U.S. policy "evolves" rather than going directly from edict to practice.2 This thesis is not concerned with

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2Michael J. Kryzanek, U.S.-Latin American Relations, second edition, (New York: Praeger, 1990), p. 100. Kryzanek describes the process by which U.S. policy is altered by the complex network of government agencies, each with a unique prescription for the furthering U.S. interests in Latin America. Kryzanek argues that this "diffusion" makes cohesion and coordination most difficult. See chapters on "Elements of U.S. Policy making," pp. 99-167.

disparaging the successful restraints on the abuse of power imposed by the U.S. Constitution, but would call attention to some persistent aspects of drug policy which are the result of agreement between these two bodies.

There are some tenets of drug control policy which have achieved the status of doctrine by virtue of their being the shared perception of both the Executive and Legislative branches. The most prominent characteristics of policy arising from this shared vision are:

1. A proclivity toward unilateral action in the reduction of drug supply.
2. An increasingly belligerent and confrontational approach to drug control at home and abroad.
3. The pursuit of centralization and coherency by the paradoxical method of expanding bureaucracy.
4. A propensity to externalize and demonize, rather than examine, the sources of the drug problem.
5. An inability to devise a policy or organization capable of alleviating the plague of bureaucratic "turf wars".

As the designated leadership of the United States, the Executive and Legislative arms of government are responsible for devising a strategy to combat the threat of illicit drugs. The first step of strategy development is the definition of interests at risk, and the relative

intensity of those interests.3 Indifference to this maxim has clearly undermined strategy formulation to date, in that the level of governmental resources and attention devoted to drug policy have fluctuated wildly. The simplistic "supply" versus "demand" debate was fundamentally a discussion of where resources should be applied to protect vital interests of unevaluated relative importance. Policy implementation began without a careful assessment of the priority of interests. The realization that both the supply of illicit drugs from foreign sources and the demand of domestic drug abusers must be addressed simultaneously to reflect the true nature of the problem was not concisely explained until the announcement of the National Drug Control Strategy in 1989. Prior to that policy delineation, government policy makers were unclear as to policy priorities, and implementation suffered because of it. Governmental infighting to establish those priorities, and to control the tools of policy implementation, has contributed greatly to the inefficiency of drug control policy.

3Donald Nuechterlein, America Overcommitted: United States National Interests in the 1980's, (Lexington: University of Kentucky Press, 1985).

A. THE PRIORITIES AND PREFERRED TOOLS OF THE EXECUTIVE

U.S. presidents have continually reshaped and redirected drug control policy in the last two decades by means of administrative reorganization decrees, foreign policy initiatives, and national security directives. The persistent executive perception of the illicit drug traffic problem as primarily a foreign policy concern, rather than a domestic agenda item, was preeminent until the late 1980's. Consistent with this outlook, the Executive may be seen as using drug policy as a means of reclaiming its perceived dominance in foreign policy.

Despite often belligerent rhetoric, presidents have been more lenient and cooperative in dealings with drug producing and drug transit countries than the Congress. Perhaps this behavior stems from a broader understanding of how diplomacy should be handled to achieve required objectives, but more likely it arises from an awareness of competing, sometimes covert objectives. President Reagan's disregard for allegations of drug trafficking by the Contras and by Manuel Noriega of Panama provide support for the latter explanation.[4] Competing policy objectives introduce inconsistencies to policy enforcement that can

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[4]Bagley, "U.S. Foreign Policy and the War On Drugs," p. 192.

only be adequately redressed by an evaluation of professed national priorities. The Executive has been reluctant to allow further constraint on diplomatic initiative by adherence to fundamental priorities established by Congress, as human rights policy attests. Presidents jealousy guard against incursions on their perceived autonomy in foreign policy.

It was under President Richard M. Nixon (1968-1974) that the rhetoric of current drug policy first emerged. In 1973, Nixon declared an "all out war on the drug menace"[5] and submitted Executive Reorganization Plan no. 2 to launch the campaign. The plan consolidated a number of former drug control agencies, the Bureau of Narcotics and Dangerous Drugs (BNDD), the Office of Drug Abuse Law Enforcement (ODALE), and the Office of National Narcotics Intelligence (ONNI) into a new organ, the Drug Enforcement Agency (DEA).

Although the DEA encompassed the cumulative experience of the majority of federal agencies, the chosen instrument for international drug policy coordination under Nixon was not the Justice Department, but the State Department. The chief diplomatic arm of the United States has had a long

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[5]Steven Wisotsky, ed., Breaking the Impasse in the War On Drugs, (Westport, Connecticut: Greenwood Press, 1986), p. 228.

and inglorious tenure as the coordinating department for drug supply reduction programs.6 Nonetheless, a State Department policy release in November 1972 conveyed government plans to employ the State Department, and more specifically the "coordinator of international narcotics matters", to pursue drug policy as "a primary foreign policy objective."7 The document highlighted the essential need for "a combined program" which confronts both supply and demand aspects for drug control.

> I should stress that the approach of a successful program cannot relate to supply alone. Nor is an attack on the demand side alone the answer. Rather a combined program is called for. The objective is to interdict supply to the degree that availabilities are sharply reduced. The shortage of drugs will then tend to drive addicts into treatment ...[8]

While the federal government's ability to balance domestic and external drug control programs is not the focus of this thesis, what is relevant is the efficiency and coherency of foreign drug control measures. Despite Executive initiatives to reorganize a chaotic bureaucracy involved in the control of drug inflows at the border and from foreign sources, and in contradiction to the

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[6]Walker, Drug Control in the Americas, revised edition, assails the role of the State Department.

[7]U.S. Department of State, "U.S. Leads Global War On Drug Abuse," Current Foreign Policy,

[8]Ibid., p. 11.

invocation of a "combined approach" as early as 1972, there was little evidence of progress in restructuring drug control efforts through the remainder of the decade. In testimony before the Senate Judiciary committee five years after Nixon's 1973 reorganization plan was initiated, a Government Accounting Office (GAO) Deputy Director concluded

> ... separate agencies with different orientations continue to identify the best means to meet their specific missions, with limited consideration for the activity of the others. There is obviously a need for an integrated federal strategy and comprehensive border control plan.[9]

The assessment that there is a need for a comprehensive, coherent strategy recurred in congressional testimony annually through 1990.

As evidence of the dramatically slow progress of the federal government's chosen instruments to coordinate drug control policy, the Bureau of International Narcotics Matters (BINM) of the State Department offers a telling example. As the designated "lead agency" of the Executive in the supervision of external drug policy, the State

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[9]Testimony of William J. Anderson, Deputy Director, GAO, in U.S. Congress, Senate, Hearings before the Subcommittee to Investigate Juvenile Delinquency, of the Committee on the Judiciary, "The Mexican Connection," 95th Congress, 2nd session, February 10 and April 19, 1978. (Washington, D.C.: Government Printing Office, 1978), p. 53.

Department was sluggish in preparing for the task. It was not until July, 1978 that the State Department undertook to compile a data base for comparing drug laws in foreign countries. Such an essential element for the preparation of effective international policy took nearly a year to compile, and when published, The Global Framework For Narcotics and Prohibitive Substances, contained only partial information on the most fundamental of drug laws from a mere 52% of the countries targeted by the survey.[10] Obtaining only half the necessary information for development of an international cooperative framework hardly reflected the energetic pursuit of a "primary foreign policy goal." Persistent problems accumulating relevant statistical data from which drug policy goals may be devised endure to the present, and may significantly account for misperceptions about the nature of the drug control problem.

While the departments of State, Justice, Treasury, Interior and Commerce, all seemingly cooperated under the coordination of the State Department for matter of drug

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[10]United States Department of State, Bureau of International Narcotics Matters, The Global Legal Framework For Narcotics and Prohibitive Substances, (Washington, D.C.: Government Printing Office, 29 June 1979), p. 1.

control, the DEA eventually began to supplant the State Department in drug control dealings with Mexico. By the late 1970's the DEA had come to define drug control policy in external areas, like Mexico, where drug policy became a matter of national interest. The DEA produced the results, arrests and seizures, that the President wanted, and in some instances employed low level diplomatic pressure more effectively than the State Department.[11] Originally deemed to be an example of the futility of bureaucratic reorganization,[12] the DEA proved to be a fruitful result of the rationalization of at least part of the drug control framework. Moreover, as the DEA came increasingly under tutelage of the Federal Bureau of Investigation (FBI), United States external drug control policy has become more consistent with domestic efforts, and has benefitted from the growing cooperation between the United States and Mexican Attorney Generals. In sharp contrast to the

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[11]Ethan A. Nadelmann, "The DEA in Latin America: Dealing With Institutional Corruption," Journal of InterAmerican Studies and World Affairs, Volume 29, no. 4, (Winter 1987-1988), p. 3.

[12]Patricia Rachal, Federal Narcotics Enforcements: Reorganization and Reform, (Boston, Massachusetts: Auburn House Publishing, 1982) appraises the DEA.

combative tone of high level diplomatic exchanges, the relations between the Attorney Generals of the United States and Mexico have reinforced cooperative tendencies.[13]

The Executive did not attempt further restructuring of the drug control organization until 1982. In that year, President Ronald Reagan (1981-1989) increased the number of agencies involved in fighting drugs abroad by ordering the participation of the Central Intelligence Agency (CIA). Additionally, in the wake of congressional revision of the Posse Comitatus Act, the Department of Defense assumed a direct support role in drug interdiction. These actions, along with the creation of the South Florida Task Force on Crime, represented the clearest depiction of an executive strategy stressing enforcement. The choice of governmental instruments reflected a penchant to characterize the drug problem as "alien," and a menace that could most effectively be dealt with the application of force abroad. In particular, the South Florida Task Force's dual mission to simultaneously combat drug smuggling and illegal

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[13]This characterization is based on articles from the Mexican Press in FBIS-Latin American Report, June 16, 1985, p. M1 and May 26, 1987, p. M1.

immigration furthered the perception that illegal drugs were an unsolicited import, for which the U.S. demand was not to blame.[14]

The South Florida Task Force embodied the Reagan ideal for drug control policy. It was a unilateral multi-agency effort, combining state and local officials with federal agents. It relied primarily on the extensive enforcement manpower, as opposed to significant intelligence support, to identify suspects. Finally, although the project was carried out domestically, its focus was on external sources of supply. The President's portrayal of the operation as an unqualified success would lead Congress to propose a more widespread application of the principles involved in 1986, known as "Sealing the Border."[15]

The employment of a multi-agency task force to circumvent the problem of bureaucratic "turf wars" between

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[14]Wisotsky, p. 208.

[15]The "Hunter Amendment" proposed as part of the 1986 Omnibus Drug Bill called for the President to devise a plan by which the Southwest border could be sealed to stop the flow of drugs within 45 days. The proposal is discussed and debated in "Controversy Over Omnibus Drug Legislation," Congressional Digest, (November 1986), pp. 259-289. The proposal spurred the development of a study by the Rand Corporation entitled Sealing The Border, discussed previously. The Rand Study found that the Congressional proposal severely underestimated the costs and overestimated the effectiveness of such a plan.

drug enforcement agencies persisted as an executive plan of action. In January 1983, the federal government implemented Organized Crime Drug Enforcement Task Forces (OCDETF) in 13 United States cities. The OCDETF combined agents from nine federal agencies as well as state and local officials under the supervision of U.S. attorneys.[16] In March 1983, the National Narcotics Border Interdiction System (NNBIS) began working in six point of entry cities to coordinate the multitude of interdiction forces.[17] Multi-agency coordination controlled by the federal government proved an effective alternative to radical centralization.

President Reagan made one more effort at executive centralization of drug control policy in 1984, creating the National Drug Enforcement Policy Board, but with inconsequential results.[18]

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[16]The White House, National Drug Control Strategy, (Washington, D.C.: Government Printing Office, January 1990), p. 16.

[17]Wisotsky, p. 208.

[18]An evaluation of the National Drug Enforcement Policy Board is available in the Office of Technology Assessment, The Border War On Drugs. The fundamental weakness of the board was its inability to exercise control over and implement changes in interdiction policy. The board lacked effective executive power, or power to control budget allocations, and therefore served as nothing more than an advisory pane.

By late 1984, the initiative in setting the drug control agenda shifted form the President to the Congress. Soaring crime rates and increased public awareness of rampant drug abuse created an outcry that the Legislative branch could not ignore. Particularly in election years, Congress has striven to toughen its anti-crime and anti-drug posture. From 1984 onward, the Executive reshaped drug policy only under precise direction or mandate from the Congress.

B. THE LEGISLATIVE BRANCH AND THE EXPANSION OF THE WAR ON DRUGS

The Congressional role in the development of drug policy has begun to overshadow the Executive in the last six years. Congressional participation in drug policy formulation arose concurrently with other challenges to executive control of foreign policy. Two important evolutionary trends have facilitated a greater role for Congress in matters of foreign policy. First, as evident in drug control issues, there is a greater intermingling of domestic and foreign policy issues to the point where it is difficult to view policy decisions in a single realm. Second, the creation of extensive staffs and research bodies have effectively maximized Congressional influence through control of funding and oversight.

The power of Congress to convene committees and stipulate control mechanisms over foreign policy, and

particularly external drug control policy, has vastly expanded the bureaucracy of the drug control network. While this has enabled the Congress to shape external drug policy consistent with a specified code of conduct, it has provided little to resolve the difficulty of agencies competing for drug control funding.

Committees and subcommittees tasked with the oversight and funding of federal agencies involved in counter-narcotics operations have multiplied at an alarming rate. A complex, interactive network that involves fifty-three (53) committees and subcommittees of the House of Representatives, and twenty-one (21) committees and subcommittees of the Senate, have emerged to "oversee" drug control organizations.[19] Many of these groups have overlapping jurisdiction, yet the extent of that overlap is undetermined. Efforts to curb the growth of or to roll back the proliferation of Congressional committees would assuredly face stiff opposition from Congress members clinging dearly to cherished chairmanships. Thus, Congress has inadvertently created a major roadblock to

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[19]Raphael Francis Perl, "The U.S. Congress, International Drug Policy, and the Anti-Drug Abuse Act of 1988," Journal of InterAmerican and World Affairs, vol. 30, no. 2 & 3, (Summer/Fall 1988), p. 21.

centralization of drug control agencies, above and beyond the already debilitating rivalries between the agency loyalists.

There is no joint committee for the overall coordination of Senate and House of Representatives policy on drug control. The nearest approximation to a coordinating legislative body, the House Select Committee on Narcotics Abuse and Control, is barred from receiving or reporting legislative bills. With this in mind it is interesting to note that the most progressive and innovative proposals for drug policy came in 1988, from Senate Democratic and Republican Task Forces, not from any standing committee.[20]

The collective perspective of Congress on the nation's drug problem is that the problem requires greater treatment facilities and law enforcement capabilities domestically, and an even greater application of legal standards abroad. The manifestation of this outlook is traditionally tough anti-crime measures at home, and sanctions, including certification, to regulate the behavior of other states. This pattern emerged in 1984, in a tough anti-crime bill, and evolved into comprehensive anti-drug abuse acts in 1986

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[20]Ibid., p. 22.

and 19[illegible]. The measures invoked in 1986 and 1988 were facilitated by the revision of the Posse Comitatus Act in 1981.

Congress revised the Posse Comitatus Act in 1981 to relax restrictions, in place since Reconstruction, against the use of military equipment and personnel for civil law enforcement.[21] The amendment of Posse Comitatus was essentially an effort to utilize modern technology and accessible man-hours available from the military to address a shortage of both in drug control agencies, but it had greater implications. In the near future the revision of the Posse Comitatus Act would reveal a Congressional preference for a belligerent, unilateral stance against external suppliers of drugs and a Congressional perception that the military would provide a more coherent framework for interdiction.

The Anti-Drug Abuse Act of 1986 followed the implementation of a more streamlined interdiction structure on the Southwest border under Operation Alliance.[22] The program name "Alliance" erroneously conveys the impression

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[21]See Donald Mabry, "The U.S. Military and the War on Drugs in Latin America," Journal of InterAmerican and World Affairs, vol. 30, no. 2 & 3, (Summer/Fall 1988), p. 56.

[22]The New York Times, "U.S. Details Plan To Combat Drugs At Mexico Border," p. A1, 14 August 1986.

that border interdiction had acquired a bilateral, cooperative character, when in fact the operation actually invoked greater interagency cooperation in a U.S. unilateral effort.[23] Midway through the plan's sixty day trial period, begun in August 1986, the House of Representatives passed H.R. 5484, the "Omnibus Drug Enforcement, Education, and Control Act of 1986."[24]

The Omnibus Drug Bill of 1986 was the most strident assertion of congressional control over drug policy thus far, and reflected the preferred tactics of the legislative branch. It emphasized unilateral actions, increased use of the military and National Guard, and coercion to ensure international cooperation. While funding was appropriated to handle domestic education and treatment, the majority of assets were directed toward interdiction, eradication and law enforcement.

The specific aspects of drug control measures aimed at reducing the inflow of illicit drugs carried a hostile message for Mexico. First, Congress directed the President to report within six months on how the Armed Forces could most effectively be use in the war on drugs. Combined with

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[23]Ibid., p. A1.

[24]"Controversy Over Omnibus Drug Legislation," Congressional Digest, (November 1986), pp. 264-288.

increased funding for narcotics control aircraft and the deployment of aerostat balloons on the Southwest land border, the implications of militarization were ominous. Second, the "Hunter amendment" passed by the House, but rejected by the Senate, had called for a plan to "seal the borders" militarily, with a clear emphasis on closing the Mexican border. Third, the bill revised the "Mansfield amendment" by allowing U.S. personnel to assist in arrests in foreign countries where they had formerly been banned. Finally, the Omnibus Drug Bill placed restrictions on foreign aid, favorable U.S. votes on loans from multi-national development banks, and trade benefits for narcotics producing and narcotics transit countries. The operative section of this restriction came under a process called "certification."[25] Since its inception, the certification process has become an annual point of friction in United States-Mexican relations.

1. Congress and "Certification"

While certification can be viewed as an effort to apply consistent codes of conduct for U.S. aid recipients, in the case of Mexico, the process is inclined to be

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[25]The certification process, especially with regard to Mexico, is best described by Raphael Francis Perl in "The U.S. Congress, International Drug Policy, and the Anti-Drug Abuse Act of 1988," Journal of InterAmerican and World Affairs, vol. 30, no. 2 & 3, (Summer/Fall 1988), pp. 22-48.

punitive rather than coercive. As as noted above, Congress enacted the Omnibus Drug Bill on the heels of the commencement of Operation Alliance. Congress was angered by the refusal of Mexican President Miguel de la Madrid (1982-1988) to allow "hot pursuit" of suspected air smugglers up to 100 miles into Mexico by U.S. agents.[26] The murder of DEA agent Enrique Camarena in Mexico in 1985, the alleged torture of another DEA agent there in 1986, and charges of corruption at the ministerial level, further enraged and provided Congress with reasons for a belligerent attitude toward Mexico. As one State department observer remarked, "I've never seen so many senators with fire in their eyes over Mexico."[27] Congress drafted the comprehensive drug bill of 1986 in this frame of mind toward Mexico.

Since 1986, only one country has been impuned more than once by the certification process - Mexico. In 1987, 1988, and 1989, Mexico was cited in resolutions by Congress for decertification on the basis of non-cooperation.[28] In

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[26]President Reagan offered this proposal in meetings with President de la Madrid, August 12-14, 1986, but the Mexican president refused. The New York Times, August 14, 1986, p. A1.

[27]The New York Times, October 20, 1986, p. A1.

[28]Perl, p. 26.

the language of the bill, certification requires Presidential endorsement that a country has either "cooperated fully" with the Untied States, or has taken adequate steps on its own to prevent drug production, processing, trafficking, drug-related money laundering, bribery and public corruption.[29] Mexico, historically sensitive on issues of sovereignty with regard to the United States, has preferred to take "adequate steps on its own," and has incurred the wrath of Congress for its efforts.

The certification sanctions threatened by Congress toward Mexico are largely symbolic. In 1989, Mexico received less than $225,000 in official U.S. aid. Because decertification would precipitate a major rupture in bilateral relations, the threat is a paper tiger. Congressional disapproval of Mexican policy on drug control in an open forum rarely achieves benefits, and often creates enduring antagonism in a region where cooperation is required for success. The certification process is a major detriment to fruitful bilateral efforts.

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[29]Raphael Francis Perl, International Narcotics Control and Foreign Assistance Certification: Requirements, Procedures, Timetables and Guidelines, Report prepared Congressional Research Service, March 1988.

2. Progress: The Anti-Drug Abuse Act of 1988

The Anti-Drug Abuse Act of 1988 attests to both the continued antagonistic stance of Congress toward external drug control and the overwhelming, pervasive growth of the drug policy structure. Built on the foundation of the 1986 Omnibus Drug Bill, the 1988 Act contains 758 pages of new guidelines for domestic and international programs. To its credit, Congress devoted significant funds for domestic education and treatment, as well as for State and local law enforcement. However, the majority of funding is still aimed at controlling external drug supplies, even though the law stipulates that spending should be balanced between supply and demand reduction programs. The emphasis of the bill appears to be a more concise definition of areas of responsibility for various government agencies, and clearer guidelines for expected behavior of other countries in the international fight against drugs.

In terms of rationalizing and centralizing the sprawling bureaucracy, the 1988 Anti-Drug Abuse Act created the position of "Drug Czar".[30] For the first time at the federal level Congress undertook to transcend the limits of

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[30]The idea of a coordinating drug "czar" was suggested in a book by Scott B. MacDonald, Dancing On A Volcano, (Boulder, Colorado: Westview, 1988), p. 148.

bureaucratic domains, and through the creation of the "drug czar," empowered an office to restructure the drug control network to effectively address the problems. As Director of the National Drug Control Policy Board, the "drug czar" was tasked with the identification of goals, initiatives, and an overall strategy. The National Drug Control Strategy of September 1989, and its more definitive supplement in January 1990, were evidence of a concerted effort to rationalize the structure of drug control and integrate its disparate parts. While the strategy itself and the creation of new bureaucratic leader are not the final solution to coordinating effective drug control policy, they represent significant progress toward that goal, and provide a focal point for the evaluation of current tactics.

Beyond the mandate for the restructuring of the executive drug control administration, Congress imposed numerous other policy priority preferences in the body of the Anti-Drug Abuse Act of 1988. The majority of these items direct agencies with drug control functions to carry out specific tasks, in effect outlining the areas of responsibility for each. While such a clarification of roles is badly needed, the tasking codifies certain agency roles for which they are not appropriately matched. The question of which agency or department can best address an issue is finally dealt with herein, albeit with the

continuation of some misconceived notions. Specifically of import to the issue of illicit drug control along the Southwest border and in Mexico, these provisions of the bill are notable:

- calls upon the President to convene an international conference on combatting illicit drug trafficking, production, and use in the Western Hemisphere;[31]

- calls upon the Secretary of State to consult with heads of U.S. agencies and governments in Western Hemisphere nations concerning the creation of a comprehensive, integrated, multi-national plan to combat the cocaine trade;

- calls upon the Department of State to establish a regional anti-narcotics training center in the Caribbean;

- changes the date of notification of Congress by the President for those countries requiring "certification" to 1 October each year; further requires the president to establish numerical standards and guidelines for determining which countries are "drug - transit nations";

- changes determination criteria for "certification" from the basic assessment of "cooperating fully" or taking "adequate steps on their own" to a foremost consideration to maximum achievable reductions in illicit production as well as an evaluation of

  (1) steps to eliminate drug related bribery and corruption,

  (2) whether the government facilitates narcotics production or distribution as a matter of policy,

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[31]A Western Hemisphere conference on cocaine production and trafficking was held in 15 February 1990, but did not include Mexico. See The New York Times, 10 February 1990, p. A5.

(3) whether any government officials are involved in the drug trade,

(4) how cases involving violence toward U.S. drug enforcement agents are being pursued,

(5) response to requests to assist DEA activities, including aerial hot pursuit,

(6) how expeditiously U.S. requests for extradition are processed,

(7) refusal to grant safe haven to known traffickers,

(8) changes in domestic legal codes to prosecute traffickers;[32]

- directs the president to consider Mexican response to U.S. requests to establish joint agreements on border air apprehension and surveillance when making certifications;

- urges the government of Mexico to cooperate fully with the United States in drug law enforcement matters, including cases involving the murder of DEA agent Camarena and the torture of DEA agent Cortez;

- encourages the government of Mexico to furnish the U.S. with banking information to facilitate U.S. prosecution of narco-terrorists who use Mexican banks to launder profits;[33]

While Mexico is but one of many drug producing and drug transit countries cited in Title IV of the Act, it is

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[32]Perl, p. 36.

[33]Raphael Francis Perl provides an excellent summary of these and other provisions in "Congress, International Narcotics Policy, and the Anti-Drug Abuse Act of 1988," Journal of InterAmerican and World Affairs, vol. 30, no. 2 & 3, pp. 22-48, as well as information from Title IV of the 1988 Anti-Drug Abuse Act (PL 100-690) itself.

mentioned more often, either directly or indirectly, than any other. The pervasive references reflect not only a concern for drug control in the region where the majority of U.S. bound illicit drugs transit, but also combative, paternalistic tone. The Mexican government is directly challenged to comply, with little room for variance from expected behavior. Such a tone is not the best manner to establish cooperative relations with a nation jealous of its sovereignty.

The final product of the 1988 Anti-Drug Abuse Act of 1988 is the United State's first National Drug Control Strategy.[34] The strategy is the product of two decades of drug control policy failures and achievements. It represents the best comprehensive assessment to date of what the federal government believes will work. It combines the mandates and directives of the Congress, with the innovations and desires of the Executive branch. Most important, it matches preferred agencies and departments (the "tools") with tasks the government perceives they can most effectively carry out.

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[34]The National Drug Control Strategy is defined combining the outline in The National Drug Control Strategy of September 1989, with the specific proposals contained in The National Drug Control Strategy, of January 1990.

C. THE TOOLS FOR DRUG POLICY IMPLEMENTATION

Inherent in the creation of the position of the Office of Drug Control Policy and the position of "drug czar" is the assessment that effective drug control is not plausible if carried out within the confines of traditional bureaucratic organizational lines. While this is an appropriate evaluation, and an adequate start for reform, traditional lines of authority and the battle for drug control funds undermine coordination efforts. Until institutions are redefined and jurisdiction placed with agencies most appropriate for the task, drug control policy will remain inefficient. The following is a discussion of the primary organizations involved in drug control efforts along the Southwest border and in Mexico, and an assessment of the appropriateness of their tasking. Since bilateral cooperation is fundamental to success in this region, an evaluation of the organization's capability to work with appropriate Mexican counterparts is also considered valuable.

1. The Office of National Drug Control Policy

The Office of National Drug Control Policy (ONDCP) represents an improvement in the centralizing and coordinating capacity of the United States government at the highest level. The ONDCP addresses a major flaw exposed in the Border War On Drugs study which asserted

that "no central authority addresses important strategic questions on priorities and resource allocations."[35] By virtue of its ability to recommend budget allocations, the ONDCP surpasses all its predecessors in influence on the scope and direction of U.S. drug control policy.

The ONDCP has already succeeded in bringing the crucial issues of the drug policy debate into sharper focus by compiling the National Drug Control Strategy. The "Budget Summary" addendum to the national strategy provides an even more concise outline of administration priorities and objectives. Since competition for funding is at the core of "bureaucratic turf wars," supervisory control of the budget process is fundamental to successfully imposing coordination.

The 1990 budget requests from the ONDCP demonstrates a clear understanding of the value of interdiction. In defiance of stipulations by the Congress, the coordinating body did not attempt to balance supply and demand reduction plans with equal funding for each.

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[35]Office of Technology Assessment, Border War On Drugs, (Washington, D.C.: Government Printing Office, March 18, 1987), p. 3.

Instead, the ONDCP recommended that 71 percent of budgeted funds go to supply reduction programs. This imbalance was justified for the following reasons:

a. because supply reduction activities are inherently more expensive,

b. because supply reduction is primarily a federal task, while demand reduction is more effective locally, and

c. because supply reduction efforts have an impact, a deterrent effect, on demand reduction.[36]

The ONDCP has the potential to bring more rational tactics to national drug control, and benefits from its relative autonomy from bureaucratic turf battles. The intention to more effectively coordinate U.S. interdiction efforts, to provide greater funding for supply reduction programs - including foreign aid, and the ability to stand above bureaucratic interests, are promising aspects of the ONDCP.

2. The State Department

The State Department has been miscast as the U.S. government's lead agency in the international fight against illicit drugs. The multitude of important cooperative links necessary for effective drug control is beyond the capability for effective management of the State

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[36]The White House, National Drug Control Strategy-Budget Supplement, (Washington, D.C.: Government Printing Office, January 1990), p. 1.

Department, especially in the case of Mexico. The pursuit of treaties and accords, the solicitation of support for multilateral agreements like the Vienna Convention on Illicit Narcotics Traffic, and maintaining U.S. assistance programs for the countries involved in the battle against drugs, are all significant tasks for the State Department which further U.S. drug control goals. However, the expansion of the country's chief diplomatic arm into realm of counter-narcotics potentially undermines cooperative efforts. The State Department is poorly equipped to supervise drug law enforcement and to assist the conduct drug raids, as it has attempted to do in recent times.

Several decades ago, the problem of international drug trafficking was small enough that it could effectively be dealt with as a collateral duty of the U.S. embassy in most countries. Present national drug control strategy calls for the establishment of a "fully dedicated Narcotics Control Coordinator" to oversee all U.S. support efforts in host countries.[37] This is an admission that the task has become too large to manage for the State Department. The assignment of embassy personnel to assist law enforcement and even paramilitary operations is misguided. It creates

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[37]The White House, National Drug Control Strategy, p. 58.

a destructive conflict of interest for the State Department, particularly in Latin America where its chief function is to allay fears of U.S. intervention. Moreover, the conduct of drug operations supervised by the State Department has been criticized, especially its "poor management" of anti-drug air assets.[38] Notoriously fragile United States-Mexican diplomatic relations are needlessly jeopardized by the active participation of State Department personnel in drug operations.

To maintain that the United States intends to respect the sovereign nations in the battle against drugs, the State Department must remain a detached observer. The State Department can serve a far more valuable function by advocating economic assistance to help rural populations find alternatives to drug cultivation than by coordinating the eradication of illegal crops. The diplomatic mission should be, particularly in the case of Mexico, to find ways to support the host country in alleviating the problem itself, not to supplant the government in drug control.

3. The Department of Justice

Drug control is a law enforcement function, in the United States and abroad, despite the agencies used to augment enforcement officials. Relations between the

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[38]San Francisco Chronicle, June 14, 1990, p. B1.

Attorneys General of Mexico and the United States represent more closely than any other intergovernmental activity the kind of cooperation necessary to achieve desired results. Despite the ongoing controversy surrounding the DEA in Mexico and the Camarena affair, cooperation between law enforcement officials holds the greatest promise of conquering the menace posed by drug trafficking.[39]

Forums like the International Drug Enforcement Conference and the International Narcotics Enforcement Officers Association are two examples of informal legal organizations working to forge an international consensus on the dangers of illicit drug traffic. Participation by officials of the DEA, FBI and other Justice Department agents fortify the image of the United States within these groups.

While the DEA has received considerable criticism for its renegade behavior concerning the Camarena affair, DEA efforts are helping to strengthen Mexican legal institutions. The Justice Department fully understands that its function, using the DEA, is to help other

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[39]The Camarena Affair refers to the murder of DEA agent Enrique Camarena in March 1985. Subsequent efforts by both governments to prosecute those involved in the murder have caused tension. The DEA, in particular, has been frustrated with the slow pace of the investigation by the Mexican government. For more information, see MacDonald, Dancing On A Volcano, pp. 77-80.

countries fight drugs themselves. Future U.S. drug control policy should use a limited number of DEA agents and a greater amount of U.S. funds to support international law enforcement.

4. The Department of Defense

The U.S. military has frequently been the tool of U.S. unilateral actions in the western hemisphere, and therefore the participation of the military in drug control efforts has alarmed many Latin American governments. The military can significantly enhance not only U.S. interdiction efforts, but also those of drug plagued countries like Mexico. The choice to employ the military in drug control is a good one, provided that military leaders restrict efforts to support roles.

The Congress initially brought the military into drug control operations in order to bring additional surveillance equipment and sensors. The infrastructure to regulate the employment of that equipment has grown into the most efficient coordinating mechanism to date - the Joint Task Force structure. The three regional Joint Task

previously chaotic and dysfunctional patchwork of federal, state, and local interdiction forces.[40]

The greatest contribution the military has made to stopping the flow of illegal drugs is the enhancement of intelligence gathering, analysis, and dissemination.[41] Air and maritime surveillance platforms have helped create a clearer picture of trafficking patterns, allowing the United States and Mexico to more adequately deploy interdicting forces.

While the employment of the armed forces may have the beneficial effect of demonstrating a stronger commitment to stopping drug trafficking, there are inherent dangers in involving the armed forces in law enforcement. Within the United States there is a fear that the military may be used domestically against U.S. citizens. Abroad there is fear of intervention.

Concern about U.S. intervention has been fueled by two recent events. First, the congressional debate concerning the 1986 Omnibus Drug Bill was so emotionally charged that it led to consideration of a plan to

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[40]The Joint Task Force concept is explained in Lt. Charley L. Diaz, USCG, "DOD Plays In The Drug War," Proceedings, Naval Review 1990, p. 78. The three JTF's are headquartered in Key West, Florida (JTF-4), Alameda, California (JTF-6), and El Paso, Texas (JTF-5).

[41]Ibid., p. 80.

militarily close the Southwest border. More recently, a second shock wave of intervention fears was launched by the disclosure of a plan advocated by General Maxwell Thurman for a "hemispheric drug raid."[42] Both plans represent the worst possible course of action, and fundamentally miss the importance of cooperative rather than unilateral action.

Thurman's plan, a hemispheric drug raid using U.S. equipment and support structure to enable Latin American troops to launch a broad assault on drug traffickers, is a misguided proposition. As one critic noted, it is the kind of "high profile operation that will revive memories of U.S. imperialism."[43] The danger in General Thurman's plan is that if carried out, it could do more to destabilize and undermine the legitimacy of Latin American governments than any degree of narcoterrorism. Discussion of such matters sabotages cooperative endeavors and renews suspicion of the true intent of U.S. military forces in interdiction. U.S. policy makers must be alert to the dangers of using the military, and adopt adequate measures to restrain military intervention. Policy priorities must be clear and well defined before the military is assigned a larger role.

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[42]"Risky Business," Newsweek, July 16, 1990, p.16.

[43]Ibid., p. 16.

U.S. policy makers have found a well organized, capable and energetic coordinating agency to maximize the interdiction efforts of all national assets in the military. To the extent that the military is confined to the support role of detection and monitoring, it will enhance both interdiction and cooperative efforts. A more coordinated and efficient U.S. interdiction framework bolsters the perception of U.S. determination abroad.

5. The Department of the Treasury

The Treasury does not have a long history of working in a cooperative international framework, but the redoubled efforts of the Customs Office and the new Financial Crimes Enforcement Network (FINCEN) give the Treasury a larger role in fighting international drug trafficking.[44] Customs will share responsibility with the DEA for restricting the flow of chemicals used in the production of illicit drugs, and FINCEN will cooperate with foreign governments to track down money launderers. Both of these measures address shortcomings in U.S. drug control that have been cited as demonstrations of laxity by drug producing and transit states. The Treasury's expanded

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[44]The White House, National Drug Control Strategy, p. 61.

responsibilities boost cooperative ventures by demonstrating U.S. resolve to take care of its part of the problem.

6. Intelligence Agencies

Perhaps the greatest improvement offered by the National Drug Control Strategy is the attention given to improving intelligence activities. U.S. drug control policy has been severely hindered by proposals based on inadequate information. Moreover, intelligence sharing offers the best method of cheaply enhancing the drug fighting capabilities of friendly governments.

The establishment of a National Drug Intelligence Center is a major step toward eliminating a barrier to greater interagency cooperation domestically. A national intelligence center which disseminates information for the purpose of upgrading overall enforcements efforts will assist in the breakdown of bureaucratic barriers. Intelligence in the domain of a non-partisan agency ensures that intelligence will be used by all who need it, and not withheld for parochial interests. "A coordinated interagency campaign such as the drug war requires a certain amount of intelligence sharing" to be effective.[45]

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[45]Diaz, "DOD Plays In The Drug War," p. 81.

Similarly, the sharing of intelligence across national borders will assist the cooperative drug effort. Accepting intelligence from the U.S. allows governments like Mexico to benefit discreetly from the abundant resources available to the United States. The prudent sharing of intelligence can help the Mexican government fight its own drug battle, and the Legal Issues Working Group provides for this type of arrangement.

D. U.S. POLICY AND CONSTRAINTS

U.S. policy still has room for improvement through the evolutionary process of bureaucratic politics to achieve a rational, coordinated drug control policy. The battle between the President and the Congress for control of international drug control policy, a penchant for unilateral action, and a propensity to miscast certain government agencies in drug fighting roles, all work against the development of the cooperative and integrated policy necessary to effectively confront drug trafficking.

The National Drug Control Strategy represents significant progress toward establishing goals and defining priorities on the international agenda. The development of that strategy and the major initiatives contained within it to address the international aspects of the problem have

been the focus of this chapter. Important underlying assumptions and apparent discontinuities emerged from this inspection.

Foremost among drug policy objectives is the creation of a more coherent and efficient government framework within which to combat illicit drugs. The rationalization and expansion of U.S. efforts has important ramifications for future cooperation. It demonstrates a firm resolve on the part of the United States to devote as much energy to solving its own problem as it is pursuing in other nations.

The strategy acknowledges that interdiction is a major component of drug control policy. Dissatisfying results from interdiction to date are not solely the product of poor programs in drug producing countries, but reflect the inefficiency of U.S. efforts as well. Effective drug policy should address enhancing enforcement in the United States as well as abroad.

Some government agencies still maintain roles they are poorly equipped to carry out. Others must be effectively supervised to ensure they do not overstep their mission. U.S. policy still requires a more concise and pragmatic definition of each agency's tasking.

The United States can not fight the drug problem alone. Direct intervention has the potential to destroy friendly governments and will not necessarily achieve desired results. The strategy asserts that cooperative endeavors

must be the foundation of supply reduction, to which should added that the respect for the sovereignty of other countries is paramount. U.S. policy falls well short on enhancing the legitimacy of cooperative governments and providing discreet support for bolstering host government institutions. Punitive measures like the certification process detract from policy aims and should be abandoned.

The reorientation of U.S. drug control policy is a hopeful sign for cooperative international drug policy. The ability of the U.S. government to set priorities for, and foster cooperation among, its own bureaucracies demonstrates an indefatigable will to make drug control work.

III. MEXICAN PERCEPTIONS AND POLICY

Unlike the United States, Mexico does not have an overwhelming consensus for an intensified effort to combat illicit drugs. Mexico confronts a radically different "drug problem" than the United States, and Mexican drug control efforts are constrained even more by the volatility of the domestic political environment. Mexico does not have a domestic drug abuse problem of the same relative magnitude as the United States. The threat of drug trafficking in the Mexican view is most perilous in the manner in which it represents a challenge to the legitimacy of the government. Narco-corruption and narco-terrorism have the potential of destabilizing the fragile Mexican government in a period of transition toward a more open democratic regime.[1]

The Mexican government characterizes Mexico as a victim of the drug trade,[2] an unwilling transit state caught

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[1]Richard B. Craig, "Mexican Narcotics Traffic: Binational Security Implications," in Donald J. Mabry, ed. The Latin American Narcotics Trade and U.S. National Security, (Westport, Connecticut: The Greenwood Press, 1990), pp. 29-31.

[2]Statement by Mexican Attorney General Garcia Ramirez in "Mexico and the Narcotics Traffic: A Growing Strain in Relations," The New York Times, October 20, 1986, p. A6.

between United States demand and South American supply in the framework of international drug activity. This assertion is based on two perceptions. First, the Mexican government does not see evidence of rapidly rising domestic demand for illegal drugs.[3] Second, although Mexico is a significant producer of heroin and marijuana, the Mexican government publicly proclaims it is satisfied with domestic control efforts to curb production. Officially, the Mexican government believes that further reductions in overall drug trafficking are the responsibility of consumer nations, since "drug traffic in Mexico derives from increasing consumption in the industrialized nations."[4]

Mexico's preeminent concerns about illicit drug control stem from the destabilizing influence of narco-dollars, narco-corruption, and the perceived links between drug traffickers and insurgents.[5] Drug control is a delicate

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[3]This official view was expressed by the chairman of the Justice Committee of the Mexican Legislature, Deputy David Jimenez Gonzales in Foreign Broadcast Information Service (FBIS) - Latin American Report, October 24, 1986, p. M1. A similar assertion was made by the Attorney General's Office in Jesus Yanez Orozco, "The Fight Against Drug Trade," Voices of Mexico (September-November 1986, no. 1), p. 56.

[4]Statement of President Miguel de la Madrid (1982-1988) in "The Fight Against Drug Trade," Voices of Mexico, p. 57.

[5]Mark S. Steinitz, "Insurgents, Terrorists, and The Drug Trade," Washington Quarterly, volume 8, no. 4 (Fall 1985), p. 47.

political issue in that it represents an additional strain on a corporatist authoritarian regime in transition. Having already alienated traditional sectors of political support by choosing an economic development plan anchored by privatization, and continuously plagued by allegations of electoral fraud, the Mexican government must proceed cautiously in its battle against drugs for fear of driving loyal and semiloyal opposition into the ranks of the disloyal.[6] The constraints on Mexican drug control are not the product of challenges from within the government, but from pressure outside it.

Since the mid-1930s when the precursor of the Institutionalized Revolutionary Party (PRI) consolidated Mexico's social revolution, Mexico has been ruled by one party. The absolute domination of the PRI in federal and local elections since that time has led to the characterization of Mexico as a "state-corporatist

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[6]The terms loyal, semiloyal and disloyal opposition refer to political participation behavior of opposition groups under different regimes. They are defined in Juan J. Linz, The Breakdown of Democratic Regimes: Crisis, Breakdown & Reequilibration. (Baltimore, Maryland: Johns Hopkins University Press, 1978), pp. 27-38.

authoritarian"[7] or "inclusionary authoritarian"[8] regime. The PRI maintained its political dominance throughout the period prior to the late 1970's by adhering to a nationalistic, state controlled economic development plan and the distribution of patronage and rewards to its sectors of political support - the agrarian, urban labor and popular sectors. Economic development and political patronage were the foundations of PRI legitimacy.

The viability of Mexico's chosen economic development model - import substitution industrialization - came into question in the early 1970's. As growth slowed and crisis emerged, it was quickly postponed by the oil boom in the mid-1970's. The infusion of petroleum revenue and increased foreign lending allowed the PRI to continue to subsidize rewards for urban labor and agrarian support.[9] However, the worldwide recession and international debt crisis of the late 1970's irrevocably damaged Mexico's revolutionary model of independent development.

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[7]Howard J. Wiarda, "Mexico: The Unravelling of a Corporatist Regime?" Journal of InterAmerican Studies and World Affairs, volume 30, no. 4, (Winter 1988-1989), p. 3.

[8]Wayne A. Cornelius, "Political Liberalization in an Authoritarian Regime," in Judith Gentleman, ed., Mexican Politics in Transition, (Boulder, Colorado: Westview, 1987), p. 17.

[9]Judith A. Teichman, Policy making in Mexico: From Boom to Crisis, (Boston, Massachusetts: Allen & Unwin, 1988), p. 40.

The PRI then made the difficult political choice of abandoning the "revolutionary" economic model in favor of a more free market oriented approach. The gradual shift meant that the PRI would represent the interests of technocratic elites and the middle class more than those of the urban labor and agrarian sectors.[10] The political gamble was premised on the calculation that economic development would occur rapidly enough to allow traditional sectors of support to experience the benefits before they became disenchanted or alienated. To date, the risk has been narrowly successful, as the PRI retains political power, despite the erosion of traditional political support. However, the narrowing margin of victory in disputed elections in 1982 and 1988[11] demonstrates that the PRI has little room for political error until economic success can be declared. This prevailing political climate permeates all facets of Mexican drug control policy.

As Mexico moves away from the economic foundation of the Constitution of 1917, adherence to all other aspirations of the revolution that prompted the Constitution

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[10]Latin American Regional Reports - Mexico and Central American, (RM-89-05), May 4, 1989, p. 6.

[11]Leopoldo Gomez & Joseph L. Klesner, "Mexico's 1988 Elections: The Beginning of a New Era of Mexican Politics?" LASA Forum, volume XIX, no. 3, 1988, discusses rise of electoral opposition to the PRI.

to become even more significant. Political challenges from the left call attention to all aspects of PRI policy which appear to be diversions from revolutionary objectives. The political left in Mexico seeks to assume the mantle of protectors of the revolution in the hopes of garnering electoral support. Of specific emotional and political value are assertions that the PRI is surrendering, or "selling out," carefully nurtured Mexican autonomy in global affairs. Cuauhtemoc Cardenas, the spokesperson, leader and presidential candidate for the leftist Democratic Revolutionary Party (PRD) has written recently:

> The Salinas government's unprecedented subordination of Mexico's national interests to American preferences is at work in several areas - ranging from drugs to industrialization and pollution - all of which are crucial to the success of Salinas' programs for economic modernization and integration with the *U.S. economy.*[12]

Mexican drug control policy must foremost maintain the appearance of autonomy. The spectre of paternalism and intervention from the United States strongly influences Mexican domestic and foreign policy decisions. Especially in an era when President Carlos Salinas de Gortari (1988-present) is pursuing a controversial free trade agreement with the United States, the political opposition is vigilant for signs of subjugation by Mexico's northern

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[12]Cuauhtemoc Cardenas, "Misunderstanding Mexico," Foreign Policy, 78, (Spring 1990), p. 113.

neighbor. Since the end of the Mexican Revolution, Mexico has careful nurtured a political identity distinct in its defiance of United States coercion and influence. The perception that the will to maintain this revolutionary ideal is eroding could be disastrous for the PRI.

At this point in Mexico's political and economic transition, greater cooperation with the United States is looked upon as anathema. The adoption of drug control measures that in any manner reflect a subservience of Mexican needs to those of the United States involves inordinate political risks and limited returns.[13] In many ways, however, Mexican drug control policy does support U.S. aims. Ironically Mexico flatly denies the idea that its efforts could be enhanced with greater United States support, mostly because it is politically untenable. As has been asserted by Celia Toro, Mexico is fighting to

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[13]This view is expressed by Samuel I. del Villar, "The Illicit United States-Mexico Drug Market: Failure of Policy and an Alternative," in Riordan Roett, ed., Mexico and the United States: Managing the Relationship, (Boulder, Colorado: Westview Press, 1988), p. 198. More recently, this opinion was expressed in an editorial entitled "U.S. Accused of Seeking Legalized Intervention" reprinted in FBIS-Latin American Report, April 11, 1988, p. 12.

preserve its autonomy in drug control to avoid both clientelism and anarchy.[14]

A. POLICY FORMULATION - THE AVOIDANCE OF CLIENTELISM AND ANARCHY

The Mexican government recognizes that not only is controlling drug trafficking a significant policy problem, but the manner in which drug control is pursued represents some politically significant problems as well. In order to serve the linked objectives of restoring the rule of law and concurrently enhancing the political legitimacy of the PRI, Mexican drug control efforts must succeed nearly autonomously.

In light of these dual objectives, whether the Mexican government could benefit by increased Untied States assistance is irrelevant to Mexican policy makers. As threatening as drug corruption, terrorism and insurgency may be, they are not as certain a threat to regime stability as is posed by the political backlash of perceived submissiveness to the United States. Mexico does not desire to be, and can not afford the perception of being, a United States client in the war on drugs.

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[14]Presentation by doctoral candidate Celia Toro entitled "Mexican Drug Control Policy," at Stanford University, May 24, 1990.

This policy stance does not indicate that the Mexican government is averse to U.S. assistance, rather it emphasizes Mexico's sensitivity about popular perception of regime strength. For reasons of political stability, Mexico desires as much cooperation with the United States as can be achieved discreetly. This stance is apparent in public denials concerning the role of DEA agents in Mexico and more recent outrage concerning U.S. disclosure of joint anti-drug operations the Mexican government wanted kept secret.[15]

The Mexican government understands that a failure to address the lawlessness in remote states where drug cultivation and trafficking thrive can lead to anarchy. It is concerned about the corrupting influence of narcotics money and armed resistance to the rule of law. President Salinas has proclaimed that drug traffickers represent a "top priority for our (Mexico's) national security,"[16] but this declaration reflects a greater sympathy with the problems of Colombia than with the United States.

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[15]President Salinas publicly complained about the publication of details of a joint United States-Mexican border interdiction operation at an Organization of American States conference on illicit drug use. Los Angeles Times, April 20, 2990, cited in Information Services - Latin America, #1888.

[16]"Salinas Vows To Eliminate Drug Trafficking," FBIS-Latin American Report, March 1, 1988, p. 10.

Colombia's internal political stability crisis has been greatly exacerbated by violent opposition to the government's willingness to extradite drug traffickers to the United States. Mexico's war on drugs is inextricably linked to political stability, and modern Mexican revolutionary tradition mandates that the Mexican government fight it alone. This crucial demand is evident in policy statements by President Salinas which emphasize that the principal responsibility for the struggle against narcotics traffic inside the country lies with his own government.[17]

B. ARTICULATING THE INTERESTS

Were Mexico a more "democratic state," it is conceivable that the public policy debate would reflect the popular Mexican impression that the drug problem is exacerbated by external consumer demand. Instead, much of the criticism of Mexican drug control policy has little impact on final decisions, since the opposition is virtually voiceless.

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[17]President Salinas has reiterated this long standing tenet of Mexican drug policy in virtually every official statement. It is referred to on the occassion of Mexican ratification of the United Nations Convention on Illegal Narcotics Traffic in his speech reprinted in FBIS-Latin American Report, December 1988, p. 10.

The Constitution of 1917 centralizes exceptional powers in the hands of the executive. The legislature rarely rejects presidentially initiated legislation and has never overridden a presidential veto. The courts are similarly impotent, with no legal tradition of judicial review except in matters of individual rights. Mexican drug control policy exists, therefore, as articulated by the executive.

C. THE CHOSEN TOOLS FOR POLICY IMPLEMENTATION

Mexico combats illicit drug production and trafficking with two major organs of the federal government, the Mexican armed forces and Mexican Federal Judicial Police (MFJP). In December 1988, President Salinas created a special assistant Attorney General's office with exclusive responsibility of coordinating an expanded program against drug trafficking.[18] Sixty percent of the Attorney General's budget and twenty-five percent of the armed forces manpower is dedicated to the government's permanent campaign against drug trafficking.[19] Since federal government structure imposes few constraints on the size and scope of drug control operations, the true constraints

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[18]FBIS-Latin American Report, January 3, 1989, p. 14.

[19]Jacqueline Buswell, "Crackdown On Drug Trafficking," Voices of Mexico, September-November 1989, p. 29.

on these enforcement organizations are financial and political. In fiscal terms, every peso diverted from social and economic development programs to cover drug control efforts carries enormous political costs. With a foreign debt of over fifty percent of Gross Domestic Product, and a strict economic austerity plan in place, the decision to increase the 1989 budget to fight drug trafficking 174 percent above 1988 funding levels indicates that the program is a high priority.[20] Additionally, the costs of social disruption, and the appearance of repression associated with the energetic pursuit of drug producers and traffickers is a restraining influence on the use of force in these endeavors. Despite increasing budgetary support and manpower enhancement, the two organizations chosen by the Mexican government must be delicate in the handling of eradication and interdiction.

D. AN EVOLVING STRATEGY

Increased efforts against Mexican domestic drug production began to emerge in the late 1960's, as United States demand spurred marijuana and heroin production. More the result of interdependence than actual coercion,

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[20]"Drug Fight To Cost 122 Billion Pesos in 1989" FBIS-Latin American Report, April 11, 1989, p. 13.

Mexican efforts were influenced by increased United States interdiction operations on the border.[21] Mexico had maintained a small scale eradication program prior to 1974,[22] but Mexico's permanent campaign against drugs launched in that year represented a new evaluation of the threat posed by drug traffic.

Initially Mexico's permanent campaign had a strong bilateral character, conceptually an outgrowth of Operation Cooperation launched by the United States. In the first years of the program, Mexico solicited advice from and consulted with U.S. officials.[23] Mexico used U.S. financial assistance to build up a fleet of aircraft to conduct aerial spraying, accepted U.S. weapons and training, and allowed a small number of DEA agents to advise Mexican officials. However, the appeal of expanded drug control operations was not solely the improvement of

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[21]A different perspective on U.S. influence is offered by Richard B. Craig in "Mexican Narcotics Traffic: Binational Security Implications," p.29.

[22]A detailed accounting of Mexican drug control efforts in the twentieth century can be found in William O. Walker, III, Drug Control in the Americas, (Revised Edition), (Albuquerque, New Mexico: University of New Mexico Press, 1989). For the period immediately prior to the permanent campaign, see pp. 188-190.

[23]Richard B. Craig, "Operation Condor: Mexico's Anti-Drug Campaign Enters a New Era," Journal of InterAmerican Studies and World Affairs, vol. 22, no. 3, (August 1980), p. 346-347.

bilateral relations, but involved the more immediate goal of restoring government authority to remote regions. It was on this pretext that Mexico undertook its most effective eradication effort - Operation Condor.

Operation Condor involved the Mexican military and the MFJP. Condor was initially valuable from the Mexican perspective because it not only produced results which appeased the United States, but it also restored the rule of law to the renagade states of Sinaloa, Durango, and Chihuahua.[24] Prior to intervention by Mexican military and justice officials under Operation Condor, Sinaloa was virtually under the rule of traffickers.

The framework of Operation Condor has been applied in several other areas, but rarely have the results been replicated. In part, the eradication effort in the plan enticed the Mexican government because it delicately managed a dual purpose. The Mexican government, using the military and the MFJP, has been particularly energetic in drug control operations which help restore government political control in remote regions.

Another appealing aspect of the permanent campaign is the manner in which it facilitated the strengthening of ties between the PRI and the seldom used military. The

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[24]Ibid., p. 352.

military is a critical ally to any Latin American government, especially in times of political instability.[25] The decision to employ the military in extensive rural eradication programs has specific utility and political implication beyond enhancing manpower. As noted above, the military has been particularly useful in quelling political opposition in areas which coincidentally encompass large drug production networks.[26] This is particularly evident in the strongholds of drug traffickers in the states of Sinaloa, Durango, and Chihuahua, and also of the political Left in the southwestern Mexican states of Michoacan, Guerrero and Oaxaca.

Often referred to as the Mexican "badlands,"[27] Michoacan, Guerrero and Oaxaca have been the setting for the most virulent political violence erupting from

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[25]The issue of political loyalty of the Mexican Military in times of political instability is addressed in David Ronfeldt, ed., The Modern Mexican Military: a Reassessment, (La Jolla, California: Center for United States-Mexican Studies, 1984). The overall influence of the military in Latin American politics is discussed in Louis W. Goodman, Johanna S.R. Mendelson & Juan Rial, eds., The Military and Democracy, (Lexington, Massachusetts: D.C. Heath, 1990), especially pp. 229-232.

[26]San Francisco Chronicle, April 6, 1990, Briefing p. 4.

[27]Financial Times, February 8, 1990, cited in Information Services Latin America, #673.

allegations of PRI electoral fraud. The region also has numerous isolated airstrips used for narcotics drops and significant domestic marijuana production. Political repression and government pursuit of illicit drug producers are frequently intermixed in these regions,[28] further polarizing Mexican perspectives on drug control. These incidents have prompted the first human rights violations report ever compiled against the Mexican government by the Washington Office of Latin America.[29]

For the Mexican government, the connection between illicit drug traffic, illegal guns, political opposition and insurgency appear as a very real threat. As early as 1977, United States officials conveyed the concerns of Mexican federal agents regarding the linkage between drugs and weapons. In testimony before the United States Congress, the disclosures that a significant portion of drug traffickers were engaged in trading illicit drugs of Mexican origin for illegally obtained United States weapons

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[28]Latin American Regional Report - Mexico and Central America, (RM-90-03), March 29, 1990, p. 6.

[29]"Drug Raids Called Fake," San Francisco Chronicle, July 18, 1990, p. A13.

confirmed that Mexican worries had justification.[30] The drug trade had serious implications for the monopoly on the use of force held by the PRI as government.

The impact of armed opposition has been dramatic, drastically raising the human costs of drug control in Mexico. In as statement on the anti-drug campaign in September 1986, President Miguel de la Madrid (1982-1988) claimed that "since Operation Condor began, the army has suffered 392 casualties."[31] Mexican drug confiscation statistics released periodically by the Attorney General's Office feature not only arrests, but also weapons confiscated and government casualties.[32] The choice of government tools to prosecute a war on drugs in Mexico therefore reflects an assessment of drug traffickers as a political foe rather than a social ill. Mexico in a sense is engaged in a low level counter-insurgency campaign.

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[30]Arms for drugs trade was first discussed in 1977 in United States Congress, Senate, Hearing before the Subcommittee on Investigations of the Committee on Government Operations, "Illicit Traffic in Weapons and Drugs Across the United States-Mexican Border," 95th Congress, 1st session, January 12, 1977, (Washington, D.C.: Government Printing Office, 1977).

[31]From a speech by President Miguel de la Madrid cited as "Views On Anti-Drug Campaign, DEA Activities" in FBIS-Latin American Report, September 3, 1986, p. M1.

[32]Drug campaign seizures and arrests are reported monthly, yearly and at other periodic intervals from statistics compiled by the Mexican Attorney General and can be found in FBIS-Latin American Report.

Controlling the erosion of government control and legitimacy is also the primary aim of President Salinas' anti-corruption campaign. The MFJP plays a leading role in this effort, along with the auditors of the Comptroller General. The corrupting influence of an estimated 2.6 billion dollars[33] of drug income annually generated by smuggling reaches the highest levels of government. Allegations against former PRI deputies and even Mexico's defense secretary, General Juan Arevelo de Gardoqui, detail the pervasive nature of corruption.[34] Narco-corruption "has seriously undermined the government's credibility" in all its endeavors.[35] Curtailing this aspect of drug trafficking is of utmost concern to the administration of President Carlos Salinas de Gortari and may well impact on the future viability of the PRI as a legitimate government.

E. POLICY CONSTRAINTS

Mexico's drug control strategy is apparently only remotely linked to United States drug control policy.

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[33]Figures cited represent extrapolations from reported revenues in the Office of Technology Assessment, The Border War On Drugs, (Washington, D.C.: Government Printing Office, March 1987).

[34]"Informer Ties Top Mexican to Drug Deals," Washington Post, June 4, 1988, p. 1.

[35]"Mexico And The Narcotics Traffic, New York Times, October 20, 1986, p. A6.

Whereas Mexican drug control policy is centralized and tailored to maintain a delicate political stability, United States policy is more decentralized and less violently opposed. The PRI and President Salinas do not enjoy the freedom of mass consensus in favor of strict enforcement, nor are the resources for a huge expansion of counter-trafficking efforts readily available. Most important for United States concerns, the Mexican government can ill afford the appearance of needing assistance to handle a domestic problem. Appeals to the United States for assistance, or greater cooperation with the United States which appears to surrender Mexican sovereignty, carry the potential of unifying political opposition and upsetting the delicate political balance maintaining the PRI. Finally, Mexico sees the problem as an external one, blaming the consumer demand of the United States and the stepped up interdiction elsewhere in Latin America for forcing an upsurge in drug activity in Mexico. Overt cooperation is an unlikely senario given the political instability of Mexico's regime in transition.

IV. ATTEMPTS AT COOPERATION IN DRUG CONTROL

Although both the United States and Mexico are engaged in drug control described as essential to national security, there are few examples of successful cooperation on this issue of shared priority. The inability of both governments to define mutually agreeable objectives and to employ suitable organizations for the attainment of common goals has undermined the limited attempts at bilateral cooperation.

Factors that combine to inhibit the adoption of conventional cooperative frameworks include historical Mexican suspicion of United States intervention, a reluctance by Mexico to be viewed as the subordinate ally of the United States at a time of political instability, a United States penchant for unilateral action, and different perceptions of threat posed by drug trafficking. Ironically, a cooperative approach is reluctantly acknowledged by both nations as the best solution. The potentially disastrous effects of unchecked illicit drug trafficking urges that a cooperative solution be found.

As discussed, United States policy making structural constraints and the rigidity imposed on Mexican policy options by political volatility limit the avenues for cooperation. The failure of certain past efforts also defines additional constraints. An analysis of the limited

success and the abundant failures of previous interactive drug control policy involving Mexico and the United States is useful for defining the parameters of future policy. By examining binational policy initiatives of the past in the areas of eradication, interdiction, intelligence sharing, as well as agreed upon aspects of bilateral and multilateral accords, plausible policy proposals for future planning can be determined.

A. ERADICATION EFFORTS

Eradication initially appears to be solely a Mexican unilateral issue, despite growing domestic production in the United States. Upon closer examination, the reduction of supply is of concern to both the producer and the consumer nation. A helpful guideline is that both the producer and consumer nation share an equal burden for the presence of, and therefore the destruction of, illicit drugs at the source.

Mexico has engaged in eradication programs throughout the twentieth century to curtail opium and marijuana growing, although the intensity of these efforts has expanded greatly since 1975. In contrast, U.S. policy has fluctuated unpredictably. While Mexican eradication efforts have been hindered largely by intractable constraints like corruption of officials acting in a oversight capacity and the political unpopularity of

eradication with rural populations, the intermittent disapproval of United States policy makers is probably the most easily removed constraint on eradication efforts.

Since 1970's, Mexican eradication efforts have steadily increased in terms of manpower dedicated to the task and government funds appropriated and the application of more uncompromising tactics. Following the abandonment of Operation Intercept by the United States in 1967, Mexico took advantage of the offers of financial and equipment assistance as part of Operation Cooperation in 1968 to launch the first stage of permanent campaigns against illicit drugs. Whereas Operation Intercept floundered because it was unilateral, inefficient and did not solicit the support of the Mexican government,[1] Operation Cooperation prospered because it was a truly bilateral undertaking.

Operation Intercept, launched in September 1969, was the first exercise of coercion and militarization of the border. Viewed by some as "economic blackmail"[2] on the part of the United States, the plan in fact demonstrated

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[1]Richard B. Craig, "Mexican Narcotics Traffic: Binational Security Implications," in Donald Mabry, ed., The Latin American Narcotics Trade and U.S. National Security, (Westport, Connecticut: Greenwood Press, 1990), p. 28.

[2]Ibid., p. 28.

that the sudden and erratic implementation of a de facto land blockade was both ineffective and expensive.[3] Contrastingly, Operation Cooperation employed the consistent will and resources available on both sides of the border to achieve more desirable results at a lesser cost.

Several components of Operation Cooperation made the program an attractive proposition for the Mexican government. It allowed Mexico to bolster its international image, provided the opportunity for the restoration of central government authority in the renegade states of Sinolao, Durango and Chihuahua, and offered significant gains in United States-Mexican relations without concessions of political sovereignty. By providing helicopters and guns, chemical herbicides and defoliants and funds for training Mexican officials by the Drug Enforcement Agency, the United States earned the willing support it was unable to gain through coercion.

In 1975 and early 1976, Mexico capitalized on the impetus of the cooperative framework to launch its "permanent campaign" against drugs, highlighted by the

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[3]The U.S. government reportedly spent $30 million in the three weeks Operation Intercept was in effect. Additionally, there was no discernible increase in drug seizures, nor was any change in the street price of drugs noted. See Walker, Drug Control In The Americas, p. 192.

implementation of Operation Condor.[4] Operation Condor was the most unrestrained eradication operation ever conducted by the Mexican government. With a budget of $35 million and employing the coordinated efforts of the Justice Department and the army, Operation Condor achieved unparalleled success in reducing the Mexican percentage of United States heroin market and the purity of that heroin.[5] Critical to the success of Operation Condor was the cooperative interdiction efforts of United States and Mexican drug agents. Information exchange and cooperative training by the DEA of Mexican federal police officers resulted in increased conspiracy cases against drug traffickers in both countries. A United States Department of Justice press release stated that "no single international effort now underway is doing more to combat heroin trafficking than the Mexican Government's eradication program."[6]

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[4]Richard B. Craig, "Operation Condor," Journal of InterAmerican Studies and World Affairs, vol. 22, no. 3 (August 1980), p. 347.

[5]U.S. Congress, Senate, Hearings before the Subcommittee to Investigate Juvenile Delinquency of the Committee on the Judiciary, "The Mexican Connection," 95th Congress, 2nd session, February 10 and April 19, 1978, (Washington, D.C.: Government Printing Office, 1978), p. 45.

[6]Craig, "Operation Condor," p. 349.

Operation Condor was retained as an integral part of Mexico's permanent campaign against drug trafficking through the 1970's, although the startling reductions of 1976 have never been matched. After the initial success, large concentrations of poppy fields were not to be found. The dispersal of illicit growing made eradication more difficult and may account for statistical decreases.[7] However, the beneficial aspects of Operation Condor were eventually undermined, not by declining statistics, but by doubts on both sides about the sincerity of drug efforts on the other side of the border.

Mexico became suspicious of United States will to pursue drug eradication with the introduction of 1978 of the Percy amendment to the Security Assistance Act of 1961. The Percy amendment, in reaction to the physical harm posed to United States marijuana consumers by the herbicide paraquat[8] prohibited funding for any marijuana eradication

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[7]This is the assessment of DEA administrator Peter B. Bensinger, cited in U.S. Congress, Senate, "The Mexican Connection," p. 122.

[8]For more insight on the controversy concerning the use of paraquat see Jesse Kornblutz, "Paraquat and the Marijuana War," The New York Times Magazine, August 13, 1978.

employi-g herbicide likely to harm users or gr>wers.[9] These actions, coupled with President James E. Carter (1976-1980) alleged personal view in support of the decriminalization of marijuana, reinforced the Mexican suspicion that the United States was not interested in taking necessary measures to reduce domestic consumption. Deputy Attorney General of Mexico Samuel Alba-Leyva commented, "In Mexico, we don't understand why the herbicides have raised such a commotion. The cultivation and trafficking of marijuana are completely illegal acts."[10]

Initial United States enthusiasm for the eradication program also suffered from suspicions about the sincerity of Mexican government officials. The attitude attributed to the DEA agents in Mexico about Mexicans is that "they are all corrupt and DEA agents must watch them,"[11] became pervasive in the late 1970's and may have been reinforced by the Mexican government staff. Requests for more U.S. aid in 1978 were based on the assessment that financial

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[9]The Percy amendment is revised in discussions concerning the 1986 Omnibus Drug Bill, see "Controversy Over Omnibus Drug Legislation," Congressional Digest, (November 1986), pp. 259-289.

[10]"Mexico May Seek Aid To Replace Drug Crops," Albuquerque Journal, April 7, 1978, p. 1.

[11]U.S. Congress, Senate, "The Mexican Connection," p. 155.

supplements for Mexican federal policies officers, provided by the United States, prevented the spread of corruption.

Most recently, much has been made of Mexican accountability to the United States in eradication statistics. Operation Vanguard, a program by which United States DEA agents fly with Mexican agents to verify spraying operations, has become dysfunctional. In the middle of 1989, the program fell into disarray for lack of the proper equipment. DEA agents argued that verification from fixed wing aircraft was time consuming and inconclusive, and further stipulated that helicopters originally promised for the operatives had not been delivered.[12] Lack of United States attention and financial support has undermined a critical cooperative venture.

The breakdown of Mexican-United States cooperation can be summarized by unfulfilled expectations. According to William Walker, in Drug Control in the Americas:

> Since the mid 1970s, authorities in Washington expected consistently high performance by Mexico against illicit drug traffic. Yet officials there, while often carrying out uncompromising campaigns against opium and marijuana growing, believed that Mexico's problems with drugs would be far less serious if their counterparts north of the border would take stronger actions to curb demand.[13]

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[12]United States Congress, House of Representatives, "Review of the 1989 International Drug Control Strategy," p. 59.

[13]Walker, Drug Control in the Americas, p. 214

Eradication is not the panacea Mexico and United States officials hoped it would be in the early 1970's. However, eradication remains a major component of drug control strategy. United States governmental enthusiasms for drug control at the source has waxed and waned over the past decades, and currently is being viewed as the crucial component of drug control. Mexico has persistently perceived eradication as a worthy enterprise, in part because it fulfills other political and social functions for the central government. Provided with the necessary equipment and financial support, it is very likely that Mexico would cooperate with the United States toward shared objectives. Those objectives must encompass a realistic perception of what eradication will contribute toward overall supply reduction. Eradication and its source control strategy complement, interdiction, provide two crucial avenues wherein greater cooperation can lead to progress toward coincident objectives.

B. INTERDICTION

Interdiction as a component of drug control strategy is problematic for cooperative ventures in that it exacerbates rather than ameliorates the issues of distinct national sovereignty. Prejudicial appraisals of the intensity with which Mexico prosecutes illicit drug traffickers, sensitivity about the implied message of extradition and

the perceived inconsistencies in each nation's drug strategies tend to undermine the mutual trust required for successful interdiction. Interdiction requires a unity of purpose, an agreement on the nature of the problem and the proper actions needed to arrest it.

Using the above stated parameters for successful interdiction, it is easy to see why the United States and Mexico have seldom worked effectively together in interdicting illicit drugs. Mexico and the United States have rarely shared similar views on the nature of the threat, often resorting to blaming each other for either "supplying" the problem or creating the problem with "demand." However, as each nation has begun to view the problem of drug trafficking as a national security threat, a potentially useful convergence of perceptions may emerge.

A primary barrier to intensified cooperative interdiction programs has been a lack of trust. United States drug agents are suspicious, even of domestic counterparts, and their distrust of corrupt Mexican officials is apparent. Years of experience, coupled with sincere Mexican efforts to reduce corruption by the Salinas administration, provides for the possibility that corruption and distrust can be averted, or at least, circumvented.

The DEA has been working with the Mexican Federal Police since Operation Cooperation. Having dealt with pervasive corruption among Mexican drug enforcement officials for decades, DEA agents in country have developed several mechanisms for circumventing corruption. One measure is the creation of elite units, often funded by United States aid.[14] This effort has been debilitated by intermittent attention from Congress in the issuance of foreign aid. A second method of circumventing corruption, the withholding of critical intelligence until the final stage of an operation, has been successful in some instances, but hinders cooperation.

The atmosphere of distrust is the most fervent obstacle to cooperative interdiction. In particular, the murder of DEA agent Enrique Camarena and th alleged torture of DEA agent Victor Cortez, have soured the crucial bond between the DEA and their Mexican counterparts. The DEA's relentless pursuit of the Camarena affair has resulted in threats by the Mexican government to sever all cooperative agreements with the United States. While the DEA's intentions are honorable, it is apparent that recent

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[14]Ethan A. Nadelmann, "The DEA in Latin America: Dealing with Institutionalized Corruption," Journal Of InterAmerican Studies and World Affairs, vol. 29, no. 4, (Winter 1987-1988), pp. 11-13.

activities have been deplored even by the United States Justice Department. Continued pursuit of Camarena assailants jeopardizes the more critical issue of bilateral ties, and the DEA must be more closely monitored.

It appears that the Camarena and Cortez affairs may be receding, however, even as United States policy makers continue to exacerbate the rift. The specific language of the 1988 Anti-Drug Abuse Act uses threatening language to define terms for Mexican certification, making references to diligence in pursuing drug traffickers, and mentions the Enrique Camarena and Victor Cortez by name.[15] The magnification of this issue by the Congress, bolstered by a recent television drama depicting the event, emphasized the misplaced, albeit well-intentioned, focus of the United States policy makers. The Camarena affair has produced disdainful behavior on both sides of the border. Trust must be restored. The federal government of the United States should be taking measures to arrest the erosion of trust, but to date has made little progress toward this objective. Congress should begin with a reevaluation of the goals of certification.

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[15]Raphael Francis Perl, "The U.S. Congress, International Drug Policy, and the Anti-Drug Abuse Act of 1988," Journal of InterAmerican Studies and World Affairs, vol. 30, no. 2 & 3, (Summer/Fall 1988), p. 36.

The reconstruction of cooperative tendencies has already begun at lower levels of international organizations. The Eighth International Drug Enforcement Conference (IDEC) was held in Mexico City in April 1990. IDEC is demonstrative of the most effective multilateral efforts, successful because its narrow focus on narcotics and law enforcement exploits common interests without the encumbrance of linkage to other issues. Joint efforts which stress law enforcement to law enforcement ties between Mexico and the United States provide greater opportunity for successful cooperation than large scale interdiction schemes which tend to heighten nationalist tensions.

Perhaps the most contentious interdiction issue is the growing U.S. military presence in all facets of border operations. From the U.S. perspective of the problem, the military is seen as an organization with the equipment and structure necessary to maximize and rationalize United States interdiction efforts. Since the amendment of the Posse Comitatus Act in 1981, the United States military has been pressed into drug control operations by the United States Congress eager to utilize idle resources.[16] The

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[16]"Controversy Over Omnibus Legislation," Congressional Digest, (November 1986), p. 266-272.

expanded presence of United States military equipment and manpower along the Southwest border, and at sea on the Atlantic and Pacific Coast of Mexico, has the potential to incur resentment of Mexicans fearful of United States intervention. Haphazard schemes like calling for the "Sealing of the Borders" in 45 days, proposed in May 1988, and suggestions for shooting down suspected drug smuggling aircraft, represent the most emotional and ill conceived notions of a military role in the drug fight.[17]

Handled properly, the supplementation of undermanned civilian law enforcement officials with military assets can benefit interdiction on both sides of the border. The critical element is the careful coordination of military activities with Mexican government, and the skillful fostering of a trusting bilateral relation through the sharing of intelligence. Military aircraft, ships, radar, aerostat balloons, and other electronic sensors have the capability of providing a clearer picture of trafficking patterns to United States and Mexican Officials. To the extent United States military efforts enhance the capability of the Mexican government to handle its own domestic problems, the involvement serves cooperative ends.

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[17]Ibid., p. 267.

The availability of more information about drug trafficking has the potential of creating divisiveness. In the near term, Mexico is likely to be overwhelmed and ill equipped to respond to the magnitude of the threat inside its own borders. United States officials acknowledge that successful interdiction throughout the Caribbean has forced a significant increase of drug traffic through Mexico.[18] Political and economic difficulties in Mexico will likely constrain Mexican efforts to respond to this expansion in traffic, fuelling United States frustrations about Mexican efforts. As summarized by Assistant Secretary of State for International Narcotics Matters, Ann Wrobelski, economic assistance is an imperative first step in future efforts.

> I remain convinced that our enforcement efforts are going to be at the margins in some of these places until we get at the economics.[19]

The most insightful criticism of the use of the military in interdiction is offered by Bruce Michael Bagley. Indicting the so-called "realist paradigm" of

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[18]Testimony of David Westrate, DEA administrator, in U.S. Congress, House of Representatives, Hearing before the Committee on Foreign Affairs, Task force on International Narcotics Control, "Review of the 1989 International Narcotics Control Strategy Report," 101st Congress, 1st session, March 14, 1989, (Washington, D.C.: Government Printing Office, 1990), p. 124.

[19]From the U.S. Congress, House of Representatives, "Review of the 1989 International Narcotics Control Strategy Report, p. 142.

President Ronald Reagan's (1981-1989) drug control strategy, which stipulated that hegemonic powers such as the United States must assume responsibility for enforcing international law and preserving order or risk anarchy,[20] Bagley asserts that the primary actors in international drug trafficking "operate outside of, or in direct defiance of national authorities."[21] Using this criterion, the best role for the military in interdiction is not in the traditional application of force by one nation against the other, but the employment of military assets to identify and locate subnational actors working in defiance of national authority. Applying this model, cooperation with Mexican officials to assist in the reassertion of governmental authority becomes the chief function of U.S. policy. Bagley recommends the development of multilateral approaches which replace unilateral pressure tactics, and especially advocates the adoption of long term institution building efforts to improve regulatory and enforcement capabilities.[22] Used properly, the military can function as a pivotal actor in the endeavor.

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[20]Bagley, "U.S. Foreign Policy And The War On Drugs: Analysis Of A Policy Failure," p. 195.

[21]Ibid., p. 197.

[22]Ibid., p. 205.

Interdiction and eradication are complementary programs which serve not only to limit the flow of illicit drugs to consumers but also to reinforce governmental efforts to restore the rule of law. Mexican programs can achieve both political stability and drug control, provided that U.S. government policy makers resist the temptation to act unilaterally. Programs which enhance the image and effectiveness of the Mexican government benefit mutual goals, while the usurpation of Mexican sovereignty with the supplanting of Mexican officers and agents by United States forces contradicts that objective. Particularly with respect to the support of Mexican legal institutions, United States interdiction efforts must not assume the role properly played by the Mexican government.

This view was expounded by Adolfo Aguilar Zinser in testimony before the House Committee on Foreign Affairs, when he stated

> The United States should not try to fight its own battle against drugs in the Mexican territory; the United States must not attempt to supplant the job Mexico is doing by imposing upon its neighbors its own inadequate enforcement. Americans should trust in the determination of the Mexicans and trust in their ability to isolate and eradicate the drug menace.[23]

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[23]U.S. Congress, House of Representatives, Hearing before the Subcommittee on Western Hemisphere Affairs of the Committee on Foreign Affairs, "Overview of United States-Mexico Relations," 101st Congress, 1st session, June 7, 1989, (Washington, D.C.: Government Printing Office, 1990), p. 72.

C. EXTRADITION

Extradition, seemingly a cornerstone of mutual trust, has the potential of destroying the delicate fabric of alliance in the battle against illegal drugs. United States insistence on the extradition of drug traffickers for more "judicious" punishment in the United States has the concurrent ill effects of defaming the Mexican judicial system, fueling critics of the Mexican government for submitting paternalism, solidifying the resistance of narco-terrorists and insurgents, and forcing the politically unsavory option of further abandonment of the Mexican constitution. Stipulation that Mexico agree to extradition as a signal of cooperation for certification purposes runs counter to long term drug control objectives.

There is little doubt that the issue which has galvanized violent resistance to the government of Colombia is extradition. Narco-terrorists threatened to destroy the democratic government of Colombia solely on the issue of extradition[24] to the United States. The issue so polarized the Colombian electorate that the 1990 elections became practically a popular referendum on continued cooperation with the United States on extradition. Similar

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[24]Washington Post Weekly, May 7-13, 1990, p. 19.

attitudes are beginning to emerge in Mexico, and have been exacerbated by the recent "kidnapping" of Dr. Humberto Alvarez Machain.

In many ways the kidnapping of the Mexican doctor alleged to have assisted in the torture of DEA agent Enrique Camarena in 1985, is a microcosm of United States-Mexican relations concerning drug control. It incited Mexico's political sensitivity to incursions on its sovereignty, demonstrated the DEA's distrust of the Mexican legal system, and showed the failure of both governments to effectively regulate their forces consistent with mutual goals. Finally, the event revealed the volatility of bilateral relations.

Dr. Alvarez was handed over to U.S. authorities in El Paso, Texas on April 3, 1990, after having been forcibly abducted by Mexican police in Guadalajara. The Mexicans had supposedly been authorized a $50,000 reward by DEA agents, a plan denied by the United States Attorney General Dick Thornburgh.[25] Mexican officials quickly voiced protests over the event, with Mexican Attorney General Enrique Alvarez del Castillo warning that joint anti-drug efforts were "at risk,"[26] and President Salinas stating

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[25]New York Times, May 27, 1990, p. A1.

[26]New York Times, April 20, 1990, p. A1.

that a good relationship with the United States was possible only if Washington respected Mexico's sovereignty and rights.[27]

The extent of the damage to joint drug efforts is difficult to overestimate. Response by critics, and even supporters of cooperative activities, to the Dr. Alvarez affair, was rapid and devastating. A Mexico news magazine, Proceso, published a list of 49 DEA agents operating in Mexico within weeks of the incident.[28] On May 25, 1990, Mexico retaliated by demanding the eradication of United States DEA agent Hector Berrellez for involvement in the kidnapping, in a destructive spirit of quid pro quo.[29] The renegade activities of DEA agents jeopardized a sensitive mutual legal assistance treaty in negotiations for two years, and precipitated the issuance of new rules for DEA agents in Mexico by the Mexican Foreign Relations Secretariat.[30]

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[27]New York Times, May 27, 1990, p. A4.

[28]New York Times, April 24, 1990, p. A7.

[29]"Arrest, Extradition Requested," FBIS-Latin American Report, May 30, 1990, p. 87.

[30]"New Rules on DEA Presence," FBIS-Latin American Report, June 20, 1990, p. 14.

Mexico has begun renewed efforts to dislodge corrupt officials from positions of political authority, and has begun to fulfill United States expectations with the arrest of drug kingpin Felix Gallardo and Caro Quintero.[31] However, while United States enforcement officials are encouraged by the response of the Mexican government in many areas, extradition remains a point of friction. President Bush, sensitive to the political climate in Mexico, surreptitiously ignored compliance with certification legislation by omitting any reference to extradition in reporting Mexican cooperation in both 198 and 1989.[32] Prospects for future cooperation depend on the cessation of ill-advised demands that Mexico respond to calls for extradition by the United States. Emphasizing extradition as a central measure of cooperation, without regard to the potentially destabilizing effects, is a dangerous measure and is a major weakness of Congressional certification.

D. INTELLIGENCE

The sharing of critical information is one of the best means of cementing an alliance. With a keen awareness of

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[31]U.S. Congress, House of Representatives, "Review of the 1989 International Narcotics Strategy Report," p. 182.

[32]Ibid., p. 184.

the dangers of compromising vital intelligence sources by disclosing data to corrupt officials, the United States should seek ways to support Mexican drug control activities by focusing their efforts with intelligence. Controversial as this measure may be, especially among DEA agents in Mexico, it is a necessary step in furthering cooperation.

Intelligence gathering and dissemination has been a major weakness of United States strategy, and the National Drug Control Strategy calls attention to this deficiency. The creation of the National Drug Intelligence Center (NDIC) is in part a recognition that the El Paso Intelligence Center (EPIC) is ill equipped to coordinate and distribute intelligence data to the necessary agencies. NDIC, combined with Financial Crimes Enforcement Network (FINCEN) has the capability of compiling the integrated picture of drug trafficking needed to pursue conspiracy cases.[33] However, the dissemination of this vital intelligence is still mired in complex bilateral agendas through oversight by the Central Intelligence Agency (CIA).

While it may appear advisable that the CIA manage disclosures of foreign intelligence for use by law enforcement, there are allegations that the CIA has in the

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[33]The White House, National Drug Control Strategy, p. 59-60.

past maintained a shocking conflict of interest. In a Washington Post article in July 1990, it was alleged that the CIA may have sheltered drug traffickers from prosecution to protect its sources.[34] Among the alleged to have received protection from the CIA is a major trafficker, Felix Gallardo. Such internal inconsistencies in United States intelligence are also detrimental to Mexican drug control efforts.

A rationalization of United States intelligence gathering and suitable procedures for disclosure can provide essential information for Mexican officials in their pursuit of drug traffickers. In the near term, electronic sensor data and radar tracking data transferred to Mexican officials can be used as a measure of how well intelligence is being utilized by Mexico.

E. BILATERAL COOPERATION AGREEMENTS

The many economic, political and social issues which call attention to the interdependence of Mexico and the United States are so diverse as to defy effective governmental control. Bruce Michael Bagley correctly assesses that subnational actors tend to dominate United States-Mexico interrelations. However, since illicit drug control is an issue of national security interest to both

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[34]Washington Post Weekly, July 23-29, 1990, p. 31.

nations, agreement of the magnitude of the problem ought to foster greater bilateral cooperation. Most certainly the governments of both nations have the power to set national priorities, yet there is little evidence that the national security issue of drug control has been given proper priority in the agenda of bilateral issues.

In 1986 Mexican Attorney General Garcia Ramirez adeptly expressed this sentiment

> I believe that rather than something that divides us, this struggle should bring us together. Unlike other issues in our bilateral relations, in which opinions are expressed freely, autonomously and rationally, in the campaign against drugs, there shouldn't be, there can not be difference of opinion.[35]

The problem with the forums designed for the resolution of bilateral problems is that they are plagued by traditional power politics. Politicians from both nations use the Interparliamentary meeting between the Mexican and U.S. legislatures to posture rather than negotiate. Mexico has come to see this particular forum as a mechanism for U.S. coercion. Critics of the Interparliamentary meeting argue that "the United States government never respects agreements made by its legislators in these meetings and keeps pressuring Mexico to do so."[36]

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[35]"Fighting Drug Traffic," Voices of Mexico, (September-November 1986), p. 57.

[36]FBIS-Latin American Report, May 16, 1985, p. M3.

Despite the fear of domination and coercion expressed by the Mexicans, Mexico has entered into more than 46 bilateral agreements on drug control with the United States since 1973.[37] The number of bilateral accords seems to have negligible effect on improving cooperative drug enforcement. The problem may not be with Mexico's willingness to enter into bilateral agreements, but with the objectives U.S. policy makers hope to achieve with such agreements. Formal bilateral agreements of the future should look to strengthen drug control efforts on both sides of the border, not just the Mexican side.

F. MULTILATERAL EFFORTS

Multilateral accords offer a method of creating an international consensus that supports greater bilateral ties. The tremendous concentration of drug activities on the Southwest border demands that imposition of measures and levels of cooperation probably too extreme for international agreement. The United Nations sponsored Vienna Convention on Narcotics Control ratified by Mexico in 1989 and the United States in 1990 provides a firm foundation for broadening bilateral cooperation.

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[37]Samuel I. del Villar, "The Illicit United States-Mexico Drug Market: Failure of Policy and an Alternative," in Roett, ed., Mexico and the United States: Managing the Relationship, (Boulder, Colorado: Westview, 1988), p. 191.

The primary benefit derived from multilateral agreements is that they free the Mexican government from the stigma of U.S. paternalism. At the Vienna conference, Mexico was able to disclose plans for a new anti-drug effort that involved greater bilateral cooperation, confident that since the plan was announced as part of an international accord it would be immune to political attack at home.[38]

Multilateral solutions can not fully address the complex relationship that effective drug control on the Southwest border requires. However, multilateral agreements are useful for creating a foundation for agreement on contentious bilateral issues. Finally, multilateral agreements offer the Mexican government refuge from domestic criticism concerning the expansion of ties with the United States on drug control policy.

G. ASSESSING THE FUTURE OF COOPERATIVE DRUG POLICY

Cooperative initiatives in drug control policy to date have been largely the product of U.S. coercion and Mexican concession. Friction has arisen when Mexican efforts have failed to meet expectations, and the United States has felt compelled to act unilaterally. Cooperation has also been

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[38]"Government To Announce New Anti-Drug Plan," FBIS-Latin American Report, September 13, 1989, p. 6.

plagued by inconsistency in setting policy priorities, and i: ttention to Mexico's constraints, on the part of U.S. policy makers. U.S. policy often has reflected a lack of patience and an insensitivity to Mexico's turbulent political environment. It is the function of the United States government to correct these shortcomings and develop a cooperative frame of mind among its agencies.

U.S. aims can be better served by offering assistance and incentives for cooperation. Mexico is already dedicated to fighting drug trafficking for its own survival, so exhorting Mexico to do better with punitive measures seems futile and perhaps counterproductive. U.S. policy should explore methods of cooperation that permit the greater and more efficient use of Mexican resources for fighting drugs. Certification by Congress and kidnappings by the DEA serve neither of these goals.

Cooperation in the future must assist Mexico in the mobilization of its own assets for drug control, and must not seek to supplant Mexican efforts with U.S. intervention. In the long term the U.S. will derive little benefit from policies which undercut Mexican sovereignty. The true objective of cooperative policy should be to strengthen Mexico's ability to act effectively as a partner.

V. PROPOSALS FOR FUTURE COOPERATION AND CONCLUSION

United States drug control policy requires the assistance of the Mexican government to achieve the magnitude of supply reduction needed for success. The political and economic costs of unilateral interdiction along the Southwest border are so high that such a policy must be discounted. Interdictions is only a partial objective in the battle against illicit drugs.

The goal of United States policy with regard to drug control on the Southwest border should be the attainment of sustainable cooperation for the greatest impact on drug flows. Achieving this goal requires the abandonment of unilateral policies for programs that assist and strengthen the Mexican government's ability to fight drug production and trafficking. Incentives, not coercive measures, offer the strongest possibility of lasting cooperation.

Based on an assessment of the constraints on cooperative initiatives and an analysis of historical efforts at cooperation on drug control, the following policies for bilateral efforts are proposed. The proposals reflect agreement with two policy options expounded by

Bruce Michael Bagley.[1] Given that intervention in Mexico and the legalization of drugs are unsuitable alternatives for United States policy, financing the mobilization of Mexico's drug fighting capabilities and providing economic alternatives to the drug trade are recommended. To these goals must be added measures which enhance the legitimacy and control of the Mexican government. United States policy is dependent on the success of Mexican efforts for the success of its own fight against drugs.

A. PROPOSALS FOR COOPERATION

For bilateral cooperation to be effective, the U.S. government must establish priorities that direct the actions of federal, state and local agencies toward that end. Because there is such a multitude of linkages between drug control policy and other bilateral issues, the hierarchy of goals must be definitive enough to prevent bureaucratic interests from eclipsing national interests.

The following proposals are recommended to create the greatest possible cooperative framework, taking into account constraints in both countries. Where limitations on implementation of a policy exist, they are addressed.

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[1]Bagley, "The New Hundred Years War?: U.S. National Security and the War on Drugs in Latin America," in Donald Mabry, ed., The Latin American Narcotics Trade and U.S. National Security, (Westport, Connecticut: Greenwood Press, 1990), p. 52-53.

1. Resist Intervention

The domestic political volatility of Mexico makes the introduction of more United States personnel in that country counterproductive. The Salinas government is already under fire from political opposition on the Left for its limited cooperation with the United States. An increased United States presence in Mexico would serve only to undermine the legitimacy of the Mexican government and catalyze the opposition.

Extradition is a form of United States intervention that also must be abandoned. The short term gain from incarcerating a drug criminal in the United States is not a comparable trade-off for the damage done to Mexican legal institutions. A patient, cooperative effort to work with and strengthen Mexican legal institutions has significant benefits for both countries. If United States actions mitigate the rule of law in Mexico, the Mexican government will suffer a further erosion of popular support. Bilateral and multilateral agreements should be employed to achieve a consensus on what constitutes just punishment for drug offenses.

2. Provide Economic Assistance

Debt relief, a free trade agreement, and alternative crop programs for drug cultivating regions are three mechanisms by which the United States can

simultaneously improve the stability of the Mexican government and enhance Mexico's ability to fight illegal drugs. Any program which contributes to the PRI's objective of increasing the pace of economic development strengthens the government and allows for more resources to be devoted to the battle against illegal drug production and trafficking. Economic assistance offers a means of providing indirect support for United States eradication and interdiction goals in Mexico.

Currently, budget limitations severely restrict levels of foreign aid. However, a reshuffling of U.S. aid priorities, particularly in Central America, can produce the kind of funding necessary to begin an alternative crop program. A free trade agreement is another form of economic assistance, one that gives the Mexican government the impetus to cooperate more extensively with the United States. Finally, compared to the funds now being spent for drug control, an inexpensive mixture of aid and economic incentives may be more fiscally feasible.

3. **Utilize The Justice Department As Lead Agency**

The complexity of interdependence issues in the United States-Mexican relationship makes drug control an unbearable burden for the State Department. Moreover, State Department involvement in supervising drug control

operations represents a conflict of interests. The State Department should be tasked with ways of assisting Mexican drug efforts, not verification of them.

The Justice Department has practically supplanted the State Department in coordinating bilateral drug efforts, and United States policy should reflect this. Under the strict control of the Office of National Drug Control Policy the Justice Department, specifically the Attorney General and the director of the DEA, should spearhead efforts to coordinate United States cooperation on drug enforcement with Mexico. A bilateral law enforcement framework is much less vulnerable to influence by other bilateral issues of contention than a program let by the highly visible State Department.

In the wake of the kidnapping of Dr. Alvarez, it is apparent that the DEA does not yet have all the diplomatic skills needed for successful cooperation. However, the restrictions on DEA activities in Mexico imposed by the U.S. and Mexican governments in the aftermath of that incident should create the necessary guidelines to regulate DEA behavior consistent with bilateral goals.

4. **Impose Strict Guidelines For Operations In Mexico**

The Office of National Drug Control Policy and the heads of agencies should make clear the priority of United States interests with regard to Mexico. The continued

pursuit of revenge in the Camarena affair or talk of a hemispheric drug raid are clearly inconsistent with drug policy, and often national goals. The United States policy makers must be on guard against militaristic, unilateral approaches claiming short term solutions.

In the same way, governmental guidelines should be broad enough to allow for lucrative innovations. United States policy makers should not try to micro-manage bilateral cooperative efforts, as setting specific criteria in certification clearly does.

5. **Forge Consensus Multilaterally, Not Bilaterally**

To shape United States-Mexican agreements, the United States should pursue multilateral approaches. The debate over policy in the existing bilateral forums creates the impression of United States intransigence and coercion. Additionally, cooperative agreements framed in bilateral negotiations make the Mexican government vulnerable to political attacks for surrendering perceived interests. Any further concessions made by Mexico hurt government prestige. Similarly, Congressional attacks on Mexican drug fighting behavior should be concealed in standards applied to all drug production and trafficking states. The United Nations' convention on Illegal Narcotics Control provides a firm foundation for bilateral efforts.

6. Share Intelligence

United States efforts should seek discrete ways to maximize the efficiency of Mexican drug control operations. This is best established by intelligence sharing. Intelligence can focus the activities of Mexico's drug enforcement agencies without significantly raising the cost of operations. The transfer or leasing of transportation and surveillance equipment also supports Mexican drug efforts without an increase in United States presence.

United States allegations of corruption in Mexico must not threaten U.S. cooperation with Mexico. The United States can assist President Salinas' campaign against corruption by sharing relevant information. Complaints about the inefficiency of Mexican drug control forces must be addressed by providing the technical intelligence to improve their performance. Mexico must be considered a valuable ally that can not fail. Intelligence support should reflect this valued perception.

Resistance to sharing intelligence with Mexican officials is to be expected form U.S. intelligence agencies. To foster a more trusting relationship, U.S. agencies can first grant their Mexican counterparts access to data from electronic sensors and other non-vulnerable sources. If corruption remains so pervasive that this information is compromised, then this policy can be abandoned with no lasting damage to more sensitive sources.

7. Develop Intermilitary Ties

The great imbalance in the size of forces makes military cooperation a daunting proposal for Mexico. Small, symbolic joint operations in drug control will facilitate the sharing of professional experience and solidify the cooperation framework. To date there have been no noteworthy military exchanges. This reflects Mexican reluctance.

To overcome Mexican unwillingness to join binational military ventures, U.S. proposals for joint operations should stress mutual rewards from such endeavors and grant the Mexican military greater influence in the structure and planning of exercises. U.S. military equipment and Mexican military experience in drug control operations is a valuable combination for developing new counternarcotics tactics.

8. Improve Coordination of U.S. Efforts

Finally, cooperative efforts need to be enhanced by a greater coordination and efficiency in U.S. interdiction efforts. Until the United States addresses problems with its own drug control policy, it can not hope to successfully direct the efforts of others. Sealing the border and launching a hemispheric drug raid are proposals by a government frustrated with the inefficiency interdiction policies. The National Drug Control Strategy goes a long way towards achieving this end. Continued

adherence to a unified national strategy will demonstrate the perseverance that U.S. allies, including Mexico, say is lacking. A better United States effort also relieves the stress in Mexico that arises from the perception that Mexicans are being forced to suffer while the United States does nothing about consumer demand.

B. CONCLUSION

The bureaucratic battles to develop a coherent and effective drug control policy are not yet over. Significant progress has been made, however, by recognizing that the United States can not solve its problem unilaterally and by acknowledging that successful policy must address both the supply of, and demand for illicit drugs. These two important interim conclusions underscore the critical importance of Mexico as a partner in effective drug control policy.

An understanding of the constraints on bilateral cooperation in both Mexico and the United States is essential for the development of future policy. By addressing these constraints, more effective drug control policy becomes attainable.

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